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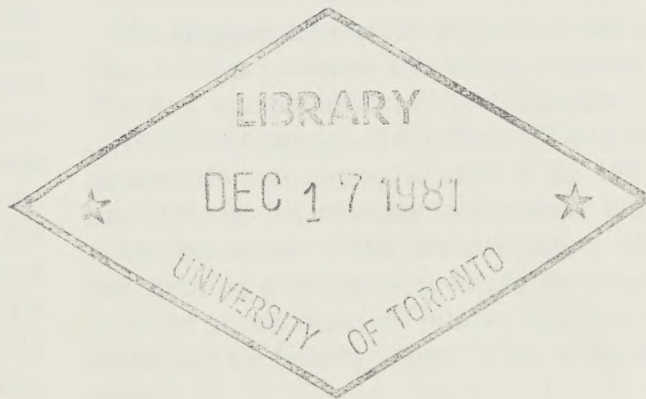


Ontario, LEGISLATIVE ASSEMBLY

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Official Report (Hansard)



First Session, Thirty-Second Parliament

Monday, December 7, 1981

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC



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LEGISLATURE OF ONTARIO

Monday, December 7, 1981

The House resumed at 8:01 p.m.

FUEL TAX ACT

Hon. Mr. Ashe moved second reading of Bill 166, An Act to revise the Motor Vehicle Fuel Tax Act.

Hon. Mr. Ashe: Mr. Speaker, in his budget speech of May 19, 1981, the Treasurer (Mr. F. S. Miller) announced that Ontario would be embarking on a program of fuel coloration. This bill contains the provisions necessary to implement that program. The coloured fuel program will apply to exempt middle-distillate fuels such as diesel and furnace oil. Generally, such fuel is tax exempt unless used in the engine of a motor vehicle licensed under the Highway Traffic Act or in vehicles or vessels operated principally for personal pleasure or recreation.

As I started to inform the members of this Legislature when I introduced this bill on November 12, the province will benefit in two ways from the coloured fuel program. First, the tax system as it applies to fuel is strengthened in that a measure has been added that will more effectively control the misuse of exempt fuel than is possible under the present partial registration system. Since middle-distillate fuels may be interchanged with relatively little effort, it is extremely easy at the present time for someone to put fuel that has been purchased tax-exempt to a taxable use, or to sell fuel at a tax-included price and pocket the tax, thereby depriving the province of revenue rightfully due to it. As the price of fuel continues to rise, the danger of this type of misuse will also increase. The use of coloured fuel will effectively remove this danger.

Second, for the people of Ontario concerned with the manufacture, sale and use of fuel, the innovation of a coloured fuel program is a significant step towards further deregulation and tax simplification. Under the present partial system of registration, which was designed to account for the use of fuel as it moved from the manufacturer to the consumer, considerable record keeping and reporting was required. With the advent of coloured fuel, there will be a reduction of some 7,500 in the number of

persons required to file returns and account for tax.

As well, almost 45,000 consumers, mostly farmers and fishermen, will no longer be required to be registered. In fact, under the new system only interjurisdictional commercial carriers will be required to register for the purpose of accounting for tax on fuel used in Ontario.

While the introduction of this program will require the construction or acquisition of some additional facilities by those involved in the production of middle-distillate fuels, this government has ensured that no hardship will arise as a result. Compensation will be provided to small businesses or enterprises, and to farmers' co-operatives, to cover the cost of such additional facilities. In addition, compensation will be paid to those colouring the fuel.

All things considered, this new program represents a significant step forward in the administration of fuel tax in this province. This bill also contains certain administrative changes that will benefit the taxpayers of this province.

Mr. Haggerty: I want to address myself to Bill 166, An Act to revise the Motor Vehicle Fuel Tax Act, and perhaps add a few comments to it.

We in this party find it rather difficult to find an area that we can agree with in the bill. The minister, in his opening comments, did talk about the abuse of the present system. He did not mention what the cost was to the taxpayers or to the government of Ontario. Just how much abuse are we talking about? What is the dollar value?

The minister talks about a delay in the deregulation program for the government policy of the colouring of certain fuels. That again raises the question about the compensation that is mentioned in the explanatory notes, that the Lieutenant Governor in Council is to establish a program of relief to small independent businessmen and farmers' co-operatives for additional tankage costs arising from the coloration of fuel.

I think the parties who are objecting to the bill, who are concerned about it—that is, the farmers and the farm co-operatives—are concerned about how much money the minister is considering in compensations. I am sure he is

well aware that if a farmer has diesel fuel on his farm used for farm purposes, he may purchase a car that also will consume or burn diesel fuel.

The question arises whether the minister is asking him to put in two types of storage tanks at an additional cost to the farmer. There is no mention of how far he is going. Is he going to go for metered pumps on farm storage facilities for fuel? The same thing applies to the distributors and the farmers' co-operatives which, apparently, will be spending huge sums of money. They will have to buy additional storage facilities. In fact, some of them may even have difficulty trucking the fuels to customers in rural areas and other areas in Ontario.

Perhaps they may even have to change the type and style of tanks on board their vehicles at the present time. I understand that where they only have one pump moving the fuel from the truck to the farm tank or other consumers' tanks, there may be some difficulties when the diesel fuel is coloured. Some of it may be in the line or in the pumps and it may carry over into other compartments in the fuel tank truck.

There is no indication of what areas of cost the government is talking about compensation. I can think of one particular instance brought to my attention where a truck driver, driving a diesel tractor that travels from Ontario down to the United States and back, is using fuel here that is not coloured—unadulterated fuel. He says that half the time, perhaps eight hours out of the trip, that truck is sitting idle, and if one looks at the type of vehicle it is, it is one of those that has a cab with it.

In other words, it is his home away from home. For about eight hours of that trip the fuel may be used to heat that particular cab for him while he is waiting for the load to be loaded on the tractor trailer so he can bring it back to Canada, and perhaps drive through Ontario where they have to travel miles across the province from the banana belt or from the Golden Horseshoe, west to Thunder Bay and Kenora or places like that.

8:10 p.m.

There is no consideration given to these persons who are in the business and find it difficult under the circumstances to pay all that tax for that rig which is used as a home away from home by a truck driver. It is an area the minister has not mentioned in the bill.

I have often wondered why the minister would be considering this type of bill when there is so much mistrust about it. It is feared that it will cause additional hardship to those in the

fuel business in Ontario, because of the extra precautions that will have to be taken by them. It was handled very well in the past; I do not think there was that much of a problem with it, or that there was that much abuse. Even though the diesel fuel is coloured, that abuse may still continue.

Going back to the war years, I recall when they had gas that was coloured to prohibit the misuse of controlled gas at that time. It was rationed. They tried to prevent persons who did not have important jobs in industry from getting extra coupons. The gas was coloured so there would be no abuse and so that those persons who got the special coupons were the only ones entitled to additional gas, which was coloured. Through technology in the area, they were able to get around the coloration of the fuel at that time.

I am sure they will find some method today to get around this method. If people want to abuse it to a certain extent, they will find ways of getting around it, so I suggest this will not resolve the problem.

The other area I am looking at is section 22 of the bill, which says that officers are not compelled to be witnesses if there is a charge laid. That is an area that really concerns the members of this party. If a person is charged and there is a court case over that, there is no area of what is called freedom of information and all the facts will not be presented to the courts. There will not be any cross-examination, if I interpret that section correctly. It states that an official cannot be compelled to be a witness. There are exemptions for legal proceedings. That is an area that I do not think will sit too well with many persons in Ontario who may not get the fair treatment they should before a court in Ontario.

I wonder why the minister would bring in the bill at this time when I do not think there is that great a need. The area in which the minister should improve this ministry is in Ontario tax grants for seniors, that new program that was implemented in 1981. We know of the difficulties the minister had in bringing about—

Hon. Mr. Ashe: That is not on the subject of the bill, Mr. Speaker.

Mr. Haggerty: We will stick to the principle. There is incompetence in the ministry in this area and one can almost see the same procedure being followed in Bill 166. This will be just another area of confusion for those persons involved in the transportation of fuels, from the supplier to the farm yard or to other purchasers of the fuel.

We are not a bit happy about this bill. We find areas we just cannot agree with. It is such an important bill, which in the long run will cost the ministry more to police than was spent under the old method. The minister could have plugged the loopholes in the old method and procedures under the previous legislation, without going to the extreme of colouring the fuel. If we ever get into the area of gas rationing, we would have to have more colouring of gasoline fuel. If we get into hydrogen or into many other areas, we will have to have a colour-coded system in Ontario. That is going to cause further problems to the consumer in the not-too-distant future, as well as to the distributor in this particular area of the dispersing of fuels in Ontario.

I can recall years ago the distributor would come in to the service stations with a tankload of gas and say, "What kind of fuel do you want today?" At that time I think they used to call it ethyl gasoline. It was the top brand. The driver of the tank truck would come in carrying a small coloured bottle with him. After unloading the fuel into the storage tanks, he would go with this small container, drop it into the storage tank and you would have any colour you wanted—yellow, orange, blue, red or green. Whatever gas the station was selling at the higher price, you got that even with the cheaper fuel.

I suggest to the minister that is an area that can be looked at, having fuel coloured by the person handling it, perhaps at the place of the consumer. Maybe the best way to go about it is by colouring it there without adding the additional expense and worry to the distributor as to whether he should be buying another tank truck. That would cost money, because in the long run it will be the consumer who will pay the additional cost, even in the compensation.

I do not have to tell the minister how high the price of fuel and the gasoline tax are in Ontario. Many of us think about the automobile industry in Ontario. It is not so much the price of the automobile that people dislike; it is the price of the fuel. As we keep on adding to the price of fuel in Ontario, we are going to find fewer people driving automobiles. They are not going to drive as often as they have in the past. When that happens, we are not going to have the automobile sales. There is really going to be a tough time in the automobile industry in Ontario.

Based on those comments, I suggest to the minister the bill is not that important and I see no reason why we should support it.

Mr. Renwick: Mr. Speaker, I would just like to rise and say that our caucus, under the guidance and explanation of my colleague the member for Hamilton Mountain (Mr. Charlton), who cannot be here this evening, will support the bill.

We do not pretend to be that expert in the efficiencies to be introduced or the procedures to be followed, but we accept the assurance of the ministry that it is a much more efficient method, and presumably the government has had the opportunity to benefit from the experience of other provinces. Therefore, we will support the bill.

We had some reservations and a number of my colleagues received calls from persons who were concerned about the problem of double tanking, but we are now satisfied that with a reasonable application of the provisions of section 31 of the bill with regard to the length of time, the maximum limit and the procedures to be established, the hardship will be minimized if not entirely eliminated.

I assume where compensation by way of grant has to be made, it requires a certain amount of sensitivity and judgement to make certain that people are not affected when one is trying to carry through a change in a process which has been so longstanding in the province.

In relation to the transition provisions and particularly the provisions made in section 31, we welcome the ongoing effort to improve the efficiency and to minimize the problems that relate to the collection and payment of this tax.

We therefore support the bill and have no proposals to make in committee.

8:20 p.m.

Mr. Riddell: Mr. Speaker, judging from the number of letters that I and many of my colleagues have received from co-operatives as well as from individual farmers, I think we should maybe oppose this bill. We will wait to see what the minister's response is before we make a final decision in that regard.

I suppose the co-operatives and the farmers got a little upset when the proposal was first made by the Treasurer. The letters started to pour in, and I sat down and wrote a letter to the Treasurer around the middle of August. I indicated to him:

"There has been some concern expressed regarding the government's proposal to implement a coloured fuel program. As you know, this program, as outlined in the May 19, 1981, budget, calls for a colouring agent to be added to stove oil, furnace oil and nontaxable diesel

fuel, diesel fuel used by farmers and fishermen. The farmers' co-operatives throughout Ontario distribute gasoline, stove oil, furnace oil and diesel fuel throughout the communities which they serve. A volume economically important to the co-operatives goes to truckers who transport grain and fertilizer, as well as to farmers. The proposed coloured fuel program, if implemented, will place a severe burden on these co-operatives and their members."

Using the Seaforth Farmers' Co-operative as an example—this happens to be one of the co-operatives in my riding—I went on to say:

"They will have to either (1) discontinue their business of supplying fuel for farm and nonfarm trucks, or (2) invest an estimated \$1 million in capital money with no return and incur extra annual operating costs of approximately \$250,000. This investment would be required to establish a separate storage tank system at their bulk plants to separate coloured from noncoloured fuels. Either of these alternatives would pose a serious financial burden to the co-operative, especially in today's difficult economy.

"The co-operatives understand the petroleum industry is confident that a system using computers would achieve better results and save them most of this extra investment and operating cost. Would it not be worth while to fully investigate this lower-cost system of tax collection? If, after a complete study of the proposal, it is your opinion that the coloured fuel system is the most efficient way to collect tax on diesel fuel, do you not think this cost should be borne by the government, which receives the benefit of the additional taxes, rather than by the farmer-owner of United Co-operatives of Ontario?

"This is a very complicated problem, and I am concerned with effects on the co-operatives and the farming communities which they serve."

I received a letter back from the Treasurer on September 9, almost a month later. He says:

"I wish to acknowledge receipt of your letter concerning the government's stated intention to implement a system of coloration of middle-distillate fuels. As you are aware, Ontario operates a system of registration which is aimed at monitoring and controlling fuel taxes on middle distillates. This system, however, has not proved as effective as originally desired."

I would like to know the reason for that. Maybe when the minister responds he can tell me this. The Treasurer indicated:

"The system has not proved as effective as originally desired, and hence a decision has

been made to pursue the implementation of a system of coloration. The Ministry of Revenue is presently in the process of sorting out the administrative complexities in order to establish a viable system. In the interim I will be examining the concerns and suggestions, including the capital costs associated with the new system, presented to me by groups such as the Seaforth Farmers' Co-operative."

I turned around and I sent a copy of that letter to all the co-operatives and to all the people who had contacted me about this very matter. They still were not satisfied with that response and they wrote to me again. I in turn sent another letter to the Treasurer dated October 27. I stated:

"Although I have contacted you previously on your proposal to colour distillate fuels, I wish to advise that I continue to receive letters from co-operatives and individual farmers expressing their grave concerns.

"The financial impact of this program is so very serious to the co-operatives and to the farmers of Ontario, they stress time and again that an alternative method be used rather than the coloration program. When they pursued this directly with your ministry officials, they were advised that the ministry has no estimate of the additional revenue that might be gained by this program, but it only has an assumption that tax evasion does occur."

Apparently you have no idea how much revenue you are going to gather from this new program; all you know is that there is some tax evasion going on. I would like to know to what extent this tax evasion is being carried on. I always believed that co-operatives and farmers connected with co-operatives were the most honest people in the world. I just cannot imagine that farmers or co-op members or anybody dealing with co-operatives would cheat on the system; but maybe I will be looking for the minister to convince me otherwise.

"The co-operatives are also advised that Ontario's present system of collecting fuel tax on diesel seems to compare favourably with other provinces where colouring exists. The additional tax to be recovered by the imposition of the fuel coloration program may be very nominal when weighed against the capital and operating costs the program will generate.

"If the coloration program is imposed on Ontario farmers, then they wish to renew their request as follows: (1) the government pay the capital costs for the installation of the pumps, loading and unloading equipment, and, where

necessary, the tanks to handle this new program; (2) that the existing system of collecting tax on diesel fuel remain in place, that is, that the co-operatives continue to be able to deliver diesel fuel and collect the tax where applicable and to deliver diesel fuel free of tax to eligible farmers.

"These recommendations will minimize the cost to farmers and to the co-operatives. Farmers do not want to finance the fuel tax while waiting for refunds, nor do they want their co-operatives to finance fuel tax in inventory and in accounts receivable.

"Your last letter to me indicated that you were giving these matters consideration and I would be most appreciative of any additional information that you can give me at this time."

These letters, as I say, were directed to the Treasurer. I have not received a response from that letter, presumably for the reason that we were going to be debating this bill and he probably expected I would be bringing forth some of these thoughts at this time. I assume this is the reason he has not answered.

I draw these concerns to the minister's attention—the concerns of the co-operatives, and they still have very grave concerns, and the concerns of the farmers who are using this fuel. As I say, we probably should be opposing the bill, based on the reasons given by the co-ops and the farmers, but if the minister can convince us otherwise, we will take a second look at it.

The Deputy Speaker: Does any other member wish to speak to this bill?

Mr. Nixon: Yes, I would. Representing a farm riding myself, I have certainly heard from my constituents of their opposition to the program. The United Co-operatives of Ontario, as has already been made clear, have certainly reviewed the possibility of such legislation and have made it quite clear that their opposition is based on the fact that, while the government is going to change the law, it is the co-operatives, in this instance, and the other fuel dealers who will have to pay for the costs of the additional installations.

I understand there was going to be assistance from the government up to a limit—\$65,000, something like that?—but in the instance, for example, of the United Co-operatives facilities in Norwich and Burford in my constituency, they estimate the cost directly to them at approximately \$1 million in capital with no return and there will be annual operating costs in addition of approximately \$250,000, a quarter of a million dollars.

The spokesman for the co-operatives would not be exaggerating a matter of this importance, in spite of the fact that the minister is shaking his head. I do not know what his views of the co-operative movement are, but certainly if they represent the views of his colleagues in the cabinet, it is going to be a shocking matter indeed to the people representing the farm community right across the province.

8:30 p.m.

They indicate in their review of the whole matter that they would have to consider going out of the fuel supply business entirely if the proposed coloured fuel program continues to be government policy and is imposed on the fuel business. Their indication is that the alternative, that is, keeping careful records of the fuel at each level, may be rather complex if the records are kept with the old quill pens the minister still uses in the Ministry of Revenue and by the same staff who are trying to do their best to get out the handouts to senior citizens, which they have bollixed up to such an extreme degree.

As a matter of fact, Mr. Speaker, I know you will be concerned with this, but I do not recall any government program in my entire career in the Legislature that has been so maladministered and has resulted in so many direct complaints from citizens who have not had their cheques or applications properly processed. If the minister is counting on the same facilities to keep track of diesel fuel and the taxes that would be properly paid, no wonder he throws up his hands and says we will have to put the administration and costs on to the fuel suppliers and the United Co-operatives movement, rather than use a proper, modernized accounting procedure with computers.

According to these experts from the United Co-operatives of Ontario, who do not exaggerate these matters, that would be far easier and cheaper than the expense of going to this rather Draconian solution of dumping red dye into the tax-free fuel.

Perhaps you do not remember, Mr. Speaker, being such a young chap, but many people here would remember when the same procedure was used with gasoline. I know the member for Elgin (Mr. McNeil) will remember it well. All of us running gasoline tractors on the farm had the fuel dyed purple—or was it red? It was a nasty, purple colour and it was very difficult to strain that colour out, we were told. As a matter of fact, I heard people say that if one cut the ends off a loaf of bread and ran a couple of gallons of gas through the bread, it would come out yellow, I think the colour was.

I certainly agree with my constituents and the members of the UCO movement that the position taken by the government is very difficult to support. Naturally, we will be anxious to hear what the minister has to say on the matter, but I can hardly think of a circumstance that would lead us to support it. Of course, one never knows until the argument is put. I hesitate to indicate our position before the minister has spoken, but we feel this particular bill is not in the best interest of the farm economy, for reasons that are obvious.

Hon. Mr. Ashe: First of all, let me thank all the honourable members for bringing forth their questions and concerns in such a concise manner. I appreciate it, particularly the support from the New Democratic Party. Let me touch upon some of the concerns expressed by the members for Erie (Mr. Haggerty), Huron-Middlesex (Mr. Riddell) and Brant-Oxford-Norfolk (Mr. Nixon). Even though I am able to answer all their concerns, I am quite sure they will not change their positions, but I think a couple of members, at least, have indicated they have open minds. We will see in a very short time.

The first and major issue is the question of the dollar value of abuse. I think it is safe to say—the member for Huron-Middlesex referred to it—we do not know for sure. It would be rather ridiculous if we said we knew absolutely what it was and where it was because if we knew there would not be a problem. Let us not kid ourselves.

We have a pretty good handle on it. I can give the members the widest extremes and tell them the figure it is felt has some validity, both at the Ministry of Treasury and Economics and the Ministry of Revenue. Tax avoidance in Ontario is something in the area of \$25 million per year at the present time. I acknowledge there can be a variation from that. I think the figures are agreed to be as low as \$10 million and as high as \$50 million. There is every reason to believe \$25 million is a figure that can be substantiated in some manner.

Mr. Riddell: A pittance compared with the evasion of the land transfer tax; just a pittance.

Hon. Mr. Ashe: That is a point of view. I am sure the honourable member is not really aware of the legislation about which he talks or the regulations thereto.

We give those people some deferral of land transfer taxes based on certain commitments. If he calls that avoidance, he obviously is not

aware of the legislation or of what goes on behind the scenes in terms of regulations and ministerial authority.

Mr. Riddell: I am aware of the legislation. I am quoting from your ministry officials.

Hon. Mr. Ashe: I am sorry to have taken up on an interjection which is really off the subject but I always like to enlighten the odd honourable member opposite when he is on the wrong track.

What is the compensation? There is no doubt many concerns were expressed and I think it is safe to say virtually all honourable members have received correspondence, in particular those from rural ridings and generally from the co-ops. Of the correspondence I received, probably 95 per cent of it was from the co-op movement in one form or another. It was pretty well in one form because it was pretty well a form letter that was being sent from every member of a farm co-operative, in particular the board of directors or administration or whatever it is referred to.

Mr. Nixon: This wasn't a form letter.

Hon. Mr. Ashe: In most instances it was; not exclusively, but in most instances. The concerns they brought forward were quite legitimate. They were asking why government was imposing upon them something that was going to cost them money, produce no revenue and leave them out of pocket, which means their members are out of pocket. That is quite a legitimate concern.

Mr. Kerrio: I don't know why it surprises you. You have done that all along.

Hon. Mr. Ashe: We try to take the odd leaf out of the federal Liberal policy but we cannot compete in that ball park at all.

Mr. Kerrio: You are getting very close.

Hon. Mr. Ashe: They have their hands in our pockets all the time. The recent budget is just a further indication of that.

To get back to the subject, what is the compensation and the basis of it? We believe the basis of compensation is more than fair and equitable. I suggest if any co-operative has come up with an indication that at one installation it would have a capital cost of \$1 million, there is obviously something wrong.

Mr. Nixon: There is a big co-op business down there; \$250,000 a year just to service—

Hon. Mr. Ashe: But \$250,000 a year does not mean additional costs. They surely have costs now to service their customers.

Mr. Nixon: They say it is additional.

Hon. Mr. Ashe: There is no way it would be.

Mr. Nixon: It is your word against theirs.

Mr. Haggerty: Run it through your computer.

Hon. Mr. Ashe: We have investigated this very seriously within the industry and are prepared to compensate with front-end compensation particularly for those in the distribution business, such as co-operatives, who had to have been registered under the Motor Vehicle Fuel Tax Act as of May 19 of this year for eligibility.

They also have to come in and prove their business in the context of size. In other words, our compensation formula which will be more than fair and generous is not designed to increase the volume of business. If a co-operative or other distributor in his wisdom wants to increase the size of the business, he is going to have to pay the difference.

8:40 p.m.

Let me use a very simplistic example. Let us say they are marketing 100,000 gallons of fuel a month. It is going into diesel trucks on the farm, diesel farm vehicles, furnace oil and stove oil. At the moment it may all be taken out of the same tank, but their volume is 100,000 gallons. To keep the example simple, they are going to have some indication based on their business cycle that it is going to be 50,000 gallons of tax-exempt fuel and 50,000 gallons per month taxable fuel. We will pay for the installation of a 50,000-gallon tank.

They will come forward with their proposal justifying their figures. We will have a petroleum engineer who will evaluate their proposal's rationale and its effectiveness to solve their job. We will pay the front-end costs for that additional installation up to \$65,000 per installation. It is our understanding that should cover about 99.9 per cent of the necessary front-end capital at that level within the province.

It is quite conceivable that in any large co-op they will have more than one facility. This is \$65,000 per installation, not just one for a huge co-op that may have three, four or five distribution points.

Mr. Nixon: They are talking about \$1 million here. You are not even going to come near that.

Hon. Mr. Ashe: We are going to have to be shown where they can come up with the figure of \$1 million.

If somebody has one tanker on the road that has three compartments and they are figuring in the cost of a second tanker, then of course that is not a valid extra cost at all. They will have to program their deliveries a little better. That may involve some extra compartments within a tanker delivery truck. Those kinds of things will be looked at but we are not going to buy somebody a new vehicle because that is not justified.

There is one other end of an expenditure for the industry. Frankly that is where the big capital is involved, not in the distribution end at all. This is at the front end of the cycle. There is no doubt this has been the lobby put forth by the major oil companies of which in total there are 15. They are going to have the front-end capital costs, particularly additional storage in some instances, but mostly to do with their injection equipment to inject the dye. We are not going to compensate them at the front end at all. We feel they have the capital capabilities and financial integrity to be able to do it themselves. This is not a significant capital amount in their total volume of operation.

Mr. Kerrio: It is so easy to spend somebody else's money, isn't it?

Hon. Mr. Ashe: If the free enterpriser would stay quiet for a minute he might find out how we are going to compensate the free enterprisers.

Mr. Kerrio: I can't. Your goofy system five years ago was the biggest laugh. You had to rescind it. It put us to a lot of trouble.

Hon. Mr. Ashe: In any event, what we are going to be doing is compensating those who are dyeing the fuel. Maybe from time to time we may have to dunk some of the honourable members in the dyed fuel to bring them back to earth. In any event, we are going to be paying compensation on the basis of 30 cents per kilolitre of dyed fuel. There are about nine billion litres of dyed fuel per year in throughput. As members can see in the way we put—

Mr. Nixon: How many kilolitres is that?

Hon. Mr. Ashe: Divide by 1,000. That is nine million in case the member does not know.

Mr. Van Horne: Don't be so condescending.

The Acting Speaker (Mr. Cousens): Order.

Hon. Mr. Ashe: In any event we project that on the basis of amortizing the front-end capital cost, they will be able to write off their capital costs and their operating costs—we know they do have annual operating costs—in the area of seven to eight years. The life expectancy of this

equipment is somewhat longer than that, so potentially there may even be a small profit at the front end of the cycle.

Mr. Riddell: You have not said anything about the farmer who has to install the second tank.

Hon. Mr. Ashe: At the moment we are willing to look at any situation where front-end capital costs are involved at any level. I think members will find there is lots of competition in the business. I understand in most instances it is the distributor who provides the tankage and not the farmer himself when buying any kinds of volumes of this distillate—

Mr. Riddell: It used to be but not now. The farmer is responsible for putting in his own tank in the ground, I believe.

Hon. Mr. Ashe: That is not our information. Maybe the Middlesex area is not as competitive as most parts of the province. In most jurisdictions it is still a pretty competitive business, particularly for some a somewhat shrinking type business. It is our understanding that it still exists. But in situations as described, if there is a problem we are very happy to have a look at it because we do not want the small businessman, whether he be a farmer or otherwise, to have any detrimental financial impact on his operations. I can assure members that is exactly our motive and exactly the way we will be administering this legislation.

Another question brought up by the member for Erie was, "What about existing fuel in the lines and so on?" We know these things are going to happen. There will be up to three months to bring the inventory into play under the new legislation. There will also be, even in normal circumstances as seen within the act, a two per cent variance allowance from the actual colour for contamination, appreciating that just by changing from one nozzle to another there might be some contamination. A two per cent variance, apparently, is extremely generous. Anybody within that variation would not be considered in contravention of the act.

I have touched upon the area of compensation. The actual dyeing is relatively insignificant in terms of volume. It is 20 parts per million, and it is a red dye. It will be very discernible, and yet will not be a problem in a contamination sense.

The honourable member for Erie also brought up the situation of a trucker and his heat for the cab when he is lying over. This fuel tax act in no way changes the situation vis-à-vis that operator. If he is getting it tax free now he is doing so

illegally and he will be doing it illegally afterwards. Nothing has changed. If he is talking about a vehicle that operates on the highway, it is a taxable fuel that is contained in that vehicle now, under the present act, and it will be in the future under the new act. Nothing has changed. He may not feel it is fair but he sure cannot blame it on this piece of legislation.

There was a reference made by the same honourable member, vis-à-vis section 22, which has to do with a witness in court. What we are saying in terms of witnesses is that the only obligation upon, for example, an inspector would be to testify that he did take such and such a sample from such and such a tank, whatever it may be, on such and such a day. That would be the end of his obligation. It would be a written report from the testing laboratory that would verify the actual content of that tank. There is a roadside form of testing that is absolute in itself but it would be further verified by laboratory testing just to make sure no error is involved.

The most important aspect of this legislation was misunderstood somewhat, but not within the petroleum industry. There is no doubt they do not want it. They have it in nine out of 10 provinces and no doubt it involves some front-end costs that they would just as soon avoid. I cannot chastise them for that. But the rest of the people have been led down the garden path in thinking this is only detrimental legislation. This government and this party are for deregulation. If there was ever a bill to bring forth deregulation in recent memory, this has to be the one.

Let me give some statistics. At the moment under the present system, there are some 57,000 registrants in Ontario to do with motor vehicle fuel. These are mostly farmers and fishermen, some 45,000 of them. There are 12,000 others who are required to file returns and account for tax. So 57,000 people are registrants.

8:50 p.m.

Under the new system 15 major oil companies will be principally responsible for accounting for and reporting to the government on the amount of fuel they are dyeing and on the tax collected. Over and above that there are the interjurisdictional carriers, those who travel from coast to coast or at least across our provincial borders, whether from east to west or to our neighbours to the south. They will still be with us. We will end up with something on the order of 4,500 registered, and of those, virtually all except the 15 are interjurisdictional highway carriers.

So we will have eliminated something on the order of 52,500 registrants out of 57,000. To me that is deregulation to the nth degree, and I must say I am all for it. I was investigating with my officials the various other alternatives. That was the other question: "Did we look at them?" The answer is yes. The industry says, "You have some regulation now. Why do you not have more of it?" All that would mean would be more obligation on these 57,000 people and others to constantly report, constantly record how much they bought, how they used it and where it went.

It is very simplistic to say it can all be done by computers. Maybe at the initial level the oil companies can satisfy their concerns with computers but in so doing they pass that obligation down to the distributors, down to the co-operatives and down to the farm gate. I cannot see how any member in this Legislature can say he supports that kind of regulation and that kind of reporting right down to the final consumer. That is what we are avoiding and that is in my view one of the most important components of Bill 166.

Sure, it is also designed to give some additional revenue to the government from areas in which it is now being avoided, and that is a very important consideration. But from the consumer's point of view I think deregulation is the most important aspect of this piece of legislation.

The only other thing I have not covered is the extent of tax evasion. I think I touched on that, but there was also a reference to the idea that nobody at the farm level would try to avoid taxation. I will be very honest. This is not the main area we are trying to get at. There are two principal areas where there is tax slippage. Number one is probably on the highway, where evading taxes has a lot of attraction. For example, if a person has—class L, is it?—one of the major classes of highway vehicles on the highway he can, by using tax-exempt fuel under the present system, avoid something in the area of \$12,000 a year in taxes. This is a significant piece of tax avoidance, which is attractive now and will become even more attractive in the years ahead.

The other area of concern we have is that there is no doubt in our minds at all that some tax-exempt fuel is being sold to the consumer. In some instances it may very well be sold to the farmer or others as a tax-paid fuel. In other words the middleman is pocketing the tax. The consumer is paying it in all good conscience and has fulfilled his obligation as far as he is

concerned, but the government is not receiving that; the middleman is pocketing that difference.

But there is not 100 per cent purity at the farm gate, either. Anyone in this community who is against this system, if he is now using tax-exempt fuel illegally, is naturally going to be opposed to this piece of legislation, because now it will be much easier to identify that fuel. A vehicle on the highway that has coloured fuel in it will—within the tolerance I spoke of before—be using tax-exempt fuel, and in turn will be charged. There is no doubt there are opportunities to do that.

For the benefit of the member for Huron-Middlesex who asked the question, in farm audits we have done—and we do not do a lot of them; I admit that—there are cases much more demanding where it is a lot more beneficial from the auditors' point of view—but 52 per cent have resulted in assessments. So we can never all stand up and claim purity. But I think most people out there are honest citizens and this will just help them to be a little more honest, without any imposition.

The alternatives, I can assure all honourable members, were examined to the nth degree. I was one of the people, initially, who was not sold on the concept of coloured fuel. After examining the alternatives, and the imposition upon the communities, the consumers and the distributors, there is no doubt that is the reason I came to the conclusion this was a progressive piece of legislation. It is profitable to the government but most important it is profitable to the consumer, to get away from the massive paper work he now has.

The Acting Speaker: Is it the pleasure of the House that the motion carry?

All those in favour please say "aye."

All those opposed please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Ordered for third reading.

House in committee of the whole.

HUMAN RIGHTS CODE (concluded)

Resuming consideration of Bill 7, An Act to revise and extend Protection of Human Rights in Ontario.

Mr. Chairman: To refresh the members' memories, we are on Bill 7 and we had got as far as the end of section 32. I saw the member for Riverdale rising. Do you have an amendment,

and if you do, can you indicate to what section? Possibly the committee of the whole House could pass those sections prior to the amended section you are proposing.

Mr. Renwick: Mr. Chairman, I have no further amendments to propose on the bill. I am satisfied personally with section 32 of the bill and my only further amendment, as you will recall, is one relating to the preamble I referred to when we started into the clause-by-clause discussion of the bill.

Mr. Chairman: I wonder if you might allow me then to finish off all sections of the bill.

Sections 33 to 50, inclusive, agreed to.

On the preamble:

Mr. Renwick: Mr. Chairman, I distributed copies of this amendment last week.

Mr. Chairman: Mr. Renwick moves that the preamble be amended by adding after the words "United Nations," the words "and with the international covenants on economic, social and cultural rights, and on civil and political rights which Canada has accepted and by which Ontario is bound."

9 p.m.

Mr. Renwick: Mr. Chairman, I need not speak to the amendment. I spoke about this problem at some length when the predecessor of the bill, Bill 209, was introduced and debated on second reading in the last Parliament in December, 1980.

I again raised the matter when I spoke in May of this year on the second reading of this bill, Bill 7, and again raised the matter in the standing committee.

I know it is not appropriate, but I know you will let me make one comment. Before this bill proceeds further I want the House to know I raised with the Attorney General (Mr. McMurtry) the whole vexed question of the extent to which these international covenants are in force in Ontario, bearing in mind that by their terms they are in force. By their terms, the government of this province is complying with the request from the federal government in order that the federal government may comply with the provisions of the covenants to advise the appropriate international commission of its ability to comply with those covenants.

I leave the matter at that and trust the amendment will find favour with the committee.

Mr. Riddell: Mr. Chairman, I do not know whether this deals with the preamble or whether

I could just ask the minister if he has been receiving letters and telegrams since we have been doing a clause-by-clause study of this bill, indicating the extreme dissatisfaction there is with parts of the bill which I do not think we have really addressed.

In other words I am wondering if the minister received the same telegram that came to me dated December 3. It states: "Bill 7 still includes employer responsibility for employee actions, reverse discrimination, no penalty for false complaint, double and triple jeopardy and power of the board of inquiry to impose affirmative action and unreasonable restrictions on job advertisements and applications. Ontario needs a human rights code which is fair and workable for employers too. Please consider the small businessman."

Did the minister receive that telegram by any chance?

Mr. Chairman: Just a moment, please. Wait now, let me have my say and then you just take it in context of my comments.

We are dealing with the proposed amendment. There is no doubt the proposed amendment to the preamble is very broad and wide and under the circumstances we will allow you possibly a few moments of discussion with regard to the broad aspects of the preamble, but I do not think we are going to be asking you in terms of having the minister—let us get what you have to say over with and then we will have the minister reply. How is that? Is that appropriate?

Mr. Riddell: Okay. I will not be long, Mr. Chairman. Thank you. I think some of these letters and concerns have to be brought to the attention of the minister for consideration, maybe if not now within the very near future.

I have a letter from the Ontario Restaurant and Food Services Association. "Bill 7, as introduced in the Legislature, contains several sections of great concern to our association. The human rights code must be equitable and just to all concerned. It must recognize that employers, like employees, are human and that they deserve due process before the law.

"We are particularly concerned about the unreasonable and onerous obligations placed on employers, obligations which are particularly oppressive for the small businessman"—and I am getting a lot of this small businessman concern—"who lacks the legal counsel and support staff that are available to government, unions and larger corporations. Please review and amend the sections outlined on the enclosed information sheet."

I am not going to go over them, but if the minister has not received it I will send him a copy of this across. They have outlined their areas of concern, and you kind of slipped by them after you got to section 32. I guess I was not quick enough to get on my feet, but they are outlining concerns dealing with section 41, section 40(6), section 40(1). I realize it is too late now to discuss these but I will send a copy across to the minister and I hope he will take a look at it.

There was a letter that came in since we have doing clause-by-clause reading of this bill from the Canadian Association for Free Expression. It has some concerns dealing with section 44(1) which I would have liked discussed. Again, I was not quick enough getting on my feet.

I will send some of these across to the minister. He should have a look at them. I would appreciate it if he would correspond with me and let me have the benefit of his comments on the concerns they are expressing so I may either try to agree with him or very much disagree with him. Whatever the case is, I have to get back to these people who have written me. If he is not getting the letters, I do not know why they are writing me unless they know I have been one of the few people on the committee who has been trying to support the small businessman, the guy who is really in trouble today, the fellow who is going under.

When one takes a drive through our small towns, it nearly makes one cry to see the number of these businessmen who have gone out of business, not because of the human rights code but because of high interest rates and everything else. They feel this is going to make things worse.

I will let the minister have copies of these and I hope he will correspond with me and give me the benefit of his thinking on some of the comments they make.

Hon. Mr. Elgie: Mr. Chairman, the member for Riverdale indicated that we have discussed the amendment he proposed with respect to the covenants in great detail during debate on second reading and in committee. He knows the views the government holds on that amendment and, if he is agreeable, I will not add further to that debate but I would be pleased to do so if he wishes me to.

I have received those communications referred to by the member for Huron-Middlesex but I do not have them here and I was not able to make notes of all the things. Let me just say this quite honestly, there is always a fear about change

and something new. I think those who sit down and look at the previous human rights code will find to their surprise that, even though it has been there for 30-odd years, it has never interfered with their business lives because they were probably functioning as we think we function in life in any event, as decent, solid human beings.

There is always a fear of something new. I understand that. I understand there are some concerns about new sections of the bill. I hope people in general, and small business people in particular because that is the group we are talking about, understand the human rights commission is going to have to show a degree of sensitivity about new areas. I understand that.

I think you will agree the area of employer responsibility for relationships in the work place was addressed in a way that recognized it was a new area and that primary responsibility was not placed on the employer. In effect, he has to condone activity in the work place he would not accept for himself or his children; he has to condone it. Even then, nothing happens unless he condones it, again, and does not do anything about it.

I do not think that is too much to ask, but it is new. I can understand it is upsetting to some people. I will be glad to reply to the member about those two letters. I hope he will share with me the view that, while there is always a fear of the new, we, as a thoughtful committee, have addressed some of the issues that were legitimate and that we have a bill that can work.

Mr. Chairman: All those in favour of Mr. Renwick's amendment to the preamble will please say "aye."

Those opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

Mr. Chairman: Shall the preamble carry as part of the bill?

Motion agreed to.

Mr. Chairman: Shall the bill, as amended, be reported?

Ms. Copps: Mr. Chairman, I find myself in somewhat the same position as the member for Huron-Middlesex on an informational item. I have been asked by one of my colleagues who was not able to be here tonight to get a clarification from the minister regarding the position of alternative schools vis-à-vis their ability to hire people of the same religious persuasion, for example. I believe that is cov-

ered under section 23(a) of the act, but I just wanted to confirm that with the minister in the House.

We have received a letter from the Ontario Association of Alternative and Independent Schools specifically wondering whether section 23(a) would allow them to hire teachers of the same religious persuasion.

9:10 p.m.

Hon. Mr. Elgie: My understanding of the jurisprudence developed to date is that a reasonable and bona fide qualification would be appropriate in that situation. No one can predict what would happen in any particular case, but on the basis of precedent my opinion is that section 23(a) would respond to the concerns they have raised with the member and with me, and I would endeavour to reply to them.

Bill 7, as amended, reported.

On motion by Hon. Mr. Elgie, the committee of the whole House reported one bill with amendments.

HUMAN RIGHTS CODE

Hon. Mr. Elgie moved third reading of Bill 7, An Act to revise and extend Protection of Human Rights in Ontario.

Ms. Copps: Mr. Speaker, on behalf of members of the Liberal Party, as the human rights critic, I would like to rise in support of the bill. Certainly, we have registered many reservations over the last few weeks and months, including the fact we feel the legislation does not go far enough particularly in protecting disabled groups. We are also extremely disappointed that it has chosen to ignore other groups, including those over the age of 65.

However, on balance, although we are not happy with the totality of the bill, we feel in the International Year of Disabled Persons we cannot oppose legislation that will in some measure attempt to meet some of the employment, service and accommodation demands of our disabled community. We do not feel the bill has protected the group it purports to protect in any great measure; however, we do feel it is a step in the right direction and we are taking the position that in some respects half a loaf is better than none.

We also have some very serious concerns about other issues raised in the bill. We have proposed amendments in a number of areas, including the one that has become known as the search and seizure area.

However, as I have said, we feel that on

balance we cannot speak against the bill because we feel the disabled community is in some way going to be served by the human rights code and the extension of protection to the disabled community.

Might I add that we in the Liberal Party will be ever vigilant over the coming months and years to seek to further increase the accessibility to employment, services and accommodation by the disabled community and by other communities that have been left out of the legislation.

Again, I want to point out specifically, for the record, that members on the government side have in the past supported private members' legislation that would have seen protection for employment going beyond 65, yet they did not stand up in the House. That is a matter which perplexes all of us on this side of the House and it is an area we will be pursuing in the future.

On balance, we have to go ahead with this legislation because to vote against it would be a slap in the faces of those who are seeking at least some protection under the human rights code during the International Year of Disabled Persons. We agree with the concerns of the disabled community that they want to be incorporated into a human rights code. They do not want any separate legislation as was originally proposed two years ago. Bearing that in mind, although we are not satisfied with the thrust and the commitment of the bill, we feel that on balance we will support it.

Mr. Renwick: Mr. Speaker, I think the process this bill has gone through highlights three or four matters I would like to comment on. We will certainly not oppose the bill when you call the motion for third reading, simply because we had an opportunity, both in the committee and again more formally in committee of the whole House last week, over a considerable period of time, to put our specific concerns and our specific objections to the assembly in a way that the record will show speaks to the concerns we have about the bill. It would be not appropriate for our caucus to oppose the bill, and we do not intend to oppose the bill. As I said, the record speaks for itself.

However, I would like to take the opportunity to say we worked a long time together in the standing committee on resources development, and I would like to pay my own personal tribute to the chairman of that committee for the way he handled the committee, the opportunity he gave to all the members of the public, and the extreme courtesy he showed over a long period

of time, not only to members of the committee but to the public generally, in the way in which the bill was dealt with during that period of time. I may also say I know the minister himself was present a good part of the time and, when he was not present, I was very pleased to be made aware from time to time of the immense grasp his parliamentary assistant, the member for Sarnia (Mr. Brandt), had of the bill as well.

I suppose the lesson that comes through to all of us, more than any other particular lesson, is the immense misunderstanding, obviously, in the community of the province about the whole conception of human rights and the role it plays in fostering and developing the kind of society we have in Ontario on the basis of tolerance. I do hope that over the years the commission will now understand the very great responsibility it has to explain to the public of Ontario what it is all about, because there were a number of very legitimate problems raised by members of the public.

There were problems that from my vantage point were problems of misunderstanding, more than real problems with respect to the bill, but I think it is a lesson that must be learned. We have to say to the government the only way that commission can carry out its mandate is if the government provides the resources and the capacity, both in people and in dollars, to enable it to fulfil its mandate in the kind of sensitive and intelligent way we in this assembly expect the commission to work. That in no way takes away from the work that has been done by the commission in the past.

My last reservation is the most serious one from the point of view of those we intended to assist, and that is the question of the provision for handicapped people to be protected against discrimination of different kinds in the province. In all good faith, I say to the minister, because I know of his interest in it, I think we are going to find that the inadequacies of the provisions with respect to what has become known in the committee and in the world of human rights as "reasonable accommodation" are going to pose an immense problem to the commission in being able to carry out its work effectively.

The other matters of concern to us, as I said, are on the record of the House. After this long time, we are pleased that we are not in a position in this caucus where we are going to oppose the bill when it is called for third reading and we trust it will achieve some of the objectives that many of us on the committee hoped it would.

9:20 p.m.

Mr. Riddell: Mr. Speaker, I too had the honour of serving on this committee and I missed very few meetings. It is probably one of the committees I have most enjoyed since I have been in this line of work. If I were to oppose this bill it would likely be for very different reasons from those of my colleagues the member for Hamilton Centre and the member for Riverdale.

I have to congratulate the minister for bringing in the bill, because he must have had a real struggle within his own caucus to introduce that kind of bill. So much of what was in that bill is just so far removed from the old Tory philosophy that I had to wonder if the chairman was not kind of leaning a wee bit towards the Liberals when he was sitting at the front of the committee expressing his views.

The member for Hamilton Centre was very modest this evening when she summed up her thoughts on the bill. I really think she was very disappointed that we were not able to get the minister and his colleagues to accept some of the amendments we thought would be a tremendous improvement to the bill. We still think it would be a tremendous improvement to the bill and that it would strengthen the bill immeasurably if he were to accept some of the amendments we put on this side.

Of course, the NDP proposed amendments that were very similar to ours, maybe with a little different wording, but also good amendments which he did not see fit at this time to incorporate in the bill. I think he will do so within another year or two. I think there will be private members' bills. I think that as long as he is still the Minister of Labour he will probably be introducing amendments of his own that are very similar to the kinds of amendments the member for Hamilton Centre introduced.

But here is an example of a real lady. I do not know whether or not we have the group in the gallery that is going to condemn me for referring to her as a lady. I do not know how to refer to her, really.

Hon. Mr. Elgie: She is not a girl, either.

Mr. Riddell: I thought I was bestowing a great honour when I referred to her as just a great—I think I used the word "gal." I said "just a great gal." That is kind of an old farm expression.

Hon. Mr. Elgie: Kind of folksy.

Mr. Riddell: It is kind of an old farmers' expression when we talk about people. We say "just a great gal." I just think she is a real top lady. She probably had every reason in the

world to stand up and say, "I want to oppose this bill," because I really think she is disappointed. As I say—

Hon. Mr. Wiseman: Are you second in her leadership campaign?

The Acting Speaker (Mr. Cousens): Order, order. The honourable member has the floor.

Mr. Riddell: I have not ruled it out completely yet.

But it is just an indication of how the democratic process works. We sometimes have to make compromises; my colleague from Hamilton Centre had to compromise more than she would have liked, but here again it is because of the type of person she is.

I too would like to echo the sentiments of the member for Riverdale. There are very few Tories I can appreciate, but the chairman of this committee is one for whom I have a very warm feeling. I think he is a very considerate person, one of the most considerate chairmen I have ever seen perform on a committee. He is a gentleman in all respects: most mannerly, most considerate, and I hope he continues in that fashion. I hope in the future I have an opportunity to serve on committees he is chairing. I simply agree with the member for Riverdale: I thought he did an outstanding job.

With that I will sit down before I get talking about some of the rest of you birds over there.

Mr. Harris: I just want to say a very few brief words. I have great difficulty. I am not sure, in my new job as chairman, whether the compliments I have heard tonight are exactly what I wanted to hear or not; maybe I was not strong enough as a chairman.

I would like to say a couple of words about the committee, and to congratulate the minister and the parliamentary assistant. I have heard somebody say this evening that the minister had a lot of courage in bringing in this bill because perhaps he did not have the unanimous support of his caucus. I do not know if anybody has the unanimous support of anything at any time; I certainly cannot get unanimous support from my own house when I leave to come down here.

But I have to tell the House that I think the minister handled this bill very well. I think he did have great courage, and I think he has what I feel is unanimous support for a better bill than the one it is going to replace. I believe, in addition to the main extension of rights to the handicapped, that this bill provides for a far better balancing of powers, which I think will lead to a better understanding of the Ontario

Human Rights Commission, and I hope to better implementation than the act it will be replacing.

I too would like to thank the members of the committee, who met for quite a long time on this bill, and particularly the thousands of members of the public from across Ontario who sent letters, made phone calls, prepared briefs, appeared before our committee starting last spring, and who were instrumental in getting the committee members to listen to them. That whole process, including the public, was instrumental in providing what I believe will be a very functional, correct and meaningful piece of human rights legislation for Ontario. Certainly speaking on behalf of myself, and I think the members of the Conservative caucus would concur, I am very proud to be associated with this piece of legislation.

Hon. Mr. Elgie: My remarks will be very brief. First of all, not only would I like to join the members opposite and the members of my own caucus in paying tribute to my parliamentary assistant, who I agree did develop a remarkable grasp of the bill and the intricacies and the nuances entailed in it, but also I would like, quite sincerely, to pay a tribute to the chairman. I found him to be a very firm but very sensitive and moderate chairman, who commanded the respect of all members of that committee.

Let us be honest with each other. It was an interesting but sometimes a very difficult process for each of us in our own way. I hope the public, who contributed through briefs, letters and telephone calls, understand that we did endeavour to listen and also to take their advice in the context of an issue that is very close to the hearts of all members, that is, the fragile nature of human rights in the province. There is a great fear that by talking about rights we are depriving others of rights, but I do not think that is the case in this bill. I think it recognizes legitimate rights and also respects legitimate differences. That is one of the hallmarks of the bill, and that is why my colleague the member for Nipissing (Mr. Harris) and the members of this caucus, and indeed of both opposition parties, have supported it.

I understand some of the reservations members have. They know the reasons the government took the positions it did. Let me assure the member for Hamilton Centre that no one will be more vigilant than this minister about the activities of the commission and about the

complaints that arise as a result of this bill and about any problems and deficiencies that may be apparent in it.

9:30 p.m.

She once again referred to the issue of the age of 65 with respect to employment. It having been raised, I cannot let it pass without saying that if she is implying that members on this side do not have the same interest in that, then she is mistaken. There has been a clear indication from members of this House of a great concern and interest in the issues relating to those over 65, but there is also an honest recognition of some of the problems that have not yet been addressed adequately. We are behaving responsibly in asking the Ontario Manpower Commission to address those issues and give us reasonable advice about any problems that would be encountered if that age of 65 were changed in the employment context.

Having set that aside, and having assured the member for Huron-Middlesex, it is important for all of us to know he has supported in full the amendments introduced by the member for Hamilton Centre. With that message, we can all now relax and know the lack of unanimity we saw the other night is really just a facade and beneath that lovely —

Mr. Riddell: That is not what I said, but she had some real good amendments.

Hon. Mr. Elgie: Only some of them, I see. I misunderstood the honourable member; I thought he meant they were all good, but only some of them were good.

Mr. Riddell: Oh, there was the odd one I had to take exception to.

Hon. Mr. Elgie: I want the member to know this bill is in keeping with Tory tradition and that is why I am proud to have been associated with it. I do not think anyone should be proud in a personal way about this because this is just a legitimate acceptance of a changing society and an endeavour to respond to it. That is the way we should all look at it. Some may think we have gone too far; some may think we have not gone far enough. I think it is a very moderate response, and an appropriate response and shows some leadership. I sincerely do thank all members for the consideration they have shown during this lengthy consideration of this issue.

Motion agreed to.

Clerk Assistant: The sixth order, second reading of Bill 107, An Act to amend the Police Act.

Mr. Nixon: Is somebody going to move this? We're on five.

Clerk Assistant: Second reading of Bill 104, An Act to amend the Highway Traffic Act.

Mr. Renwick: What happened to Bill 107?

Mr. Breaugh: Mr. Speaker, on a point of order: Would you clarify how you called one order and then moved to the next order of business?

Hon. Mr. Gregory: Mr. Speaker, in the absence of the Attorney General (Mr. McMurtry), I believe the member for Simcoe Centre (Mr. G. W. Taylor) is going to carry this bill.

Mr. Nixon: Mr. Speaker, on a point of order: I do not think too much is amiss. The parliamentary assistant has simply called the bills in the order they are on the Order Paper rather than in the order they were listed on the business for Monday. It does not make much difference which one comes first.

Mr. G. W. Taylor: Mr. Speaker, I am prepared to move on Bill 104.

HIGHWAY TRAFFIC AMENDMENT ACT

Mr. G. W. Taylor, on behalf of Hon. Mr. McMurtry, moved second reading of Bill 104, An Act to amend the Highway Traffic Act.

Mr. G. W. Taylor: Mr. Speaker, Bill 104, the Highway Traffic Amendment Act, 1981, would remedy a problem that has arisen recently with respect to the driver improvement program in Metropolitan Toronto. The program is intended to allow a person convicted of certain driving offences to receive a lower fine if the person attends a driver improvement course.

Until recently, the practice of the courts was to impose a suspended fine at the time of conviction, on the condition that the person attend the course. The Ontario Court of Appeal, however, has ruled that the language of the existing legislation requires that the fine not be imposed until after the course has been attended. This means that the defendant must appear in court twice: once to be convicted and once to be sentenced.

Requiring a second court appearance is an unnecessary and time-consuming step that causes great inconvenience to the citizen. The purpose of this bill is to eliminate the need for a second

court appearance. It will allow the courts to return to their previous practice of imposing a suspended fine at the time of conviction.

Mr. Speaker, I hope all members of the House will support this particular bill.

Mr. Nixon: We will support it. It is not earth-shaking in its provisions but anything that will reduce the laborious work of the courts, and those representing the defendants, we would certainly want to support.

It just occurred to me, however, that we really ought to give every encouragement we can for the provision of certain types of courses, particularly those relating to convictions involving impaired driving, or blowing over 0.08, or liquor-related offences. There is some indication that instructions that sometimes come from well-prepared and effectively delivered courses having to do with impairment are about as useful as any other sort of treatment or punishment in reducing the numbers of repeats of that sort of conviction.

We certainly support this bill, and I would hope that it is effective in its intent.

Mr. Renwick: Mr. Speaker, we have no problem with the bill.

From time to time the Court of Appeal points out drafting imperfections in statutes which we pass. This is one of those occasions where the court has indicated, much as it was in sympathy with the position taken by the crown on the course of the appeal, that the precise language of the provision of the Highway Traffic Act now before us, along with the provision of the recently passed Provincial Offences Act, was not sufficient to permit vindicating the position of the crown.

It seems to me a very appropriate amendment from the point of view both of the crown and the person who may be charged with the offence, and who is relieved by this bill. Accordingly, we support the bill.

Mr. G. W. Taylor: Mr. Speaker, the honourable members, particularly the member for Riverdale, have seen adequately what the bill is intending to do. I can add no further comments. I thank the members for supporting this particular bill. It is just correcting the draftmanship of a particular piece of legislation that has come to the attention of the Court of Appeal. Lawyers, being what they are, are always willing to find imperfections in pieces of draftmanship. Thus, they end up in the Court of Appeal. We are only too willing in this Legislature to correct those

drafting imperfections such as have taken place with this bill. Those are my remarks on the matter.

Mr. Nixon: Mr. Speaker, on a point of order: I do not want to take the time of the House but would it not have been appropriate if the honourable member who was conducting the bill had indicated to the House that in fact its main purpose was to correct imperfections in the drafting, rather than simply reading the intent that was put on the bill?

Motion agreed to.

Ordered for third reading.

9:40 p.m.

CHILDREN'S LAW REFORM AMENDMENT ACT

Mr. G. W. Taylor, on behalf of Hon. Mr. McMurtry, moved second reading of Bill 125, An Act to amend the Children's Law Reform Act.

Mr. G. W. Taylor: Mr. Speaker, as members well know, this act represents a comprehensive effort to deal with the difficult problem of disputed custody of children. The bill is constructed around the central principle that custody proceedings must be conducted and determined on the basis of the best interests of the child.

It is no longer enough to say the judicial decision about who is to have custody must be made solely on the basis of the best interests of the child. The best interests of the child must also be considered in the way we conduct the legal proceedings leading up to the judicial decision, and of increasing importance is the need to ensure the best interests of the child are protected through effective enforcement procedures following the judicial proceedings.

Therefore, the bill not only sets out guidelines to assist in determining the best interests of the child, but also deals with such matters as who may apply for custody, ordering assessments, reducing delay, apprehension of children wrongfully withheld from their parents and deterring abduction of children following a court order.

The importance of these principles, I am pleased to say, have already been recognized by this assembly. When the Attorney General brought forward the Children's Law Reform Act for second reading last session, the principles of the bill received strong praise and endorsement. But for the time constraints of that session, I am confident the Children's Law Reform Act would have been law today.

Because of the exposure these problems have had on previous occasions, it is probably not necessary for me to take members through the details of the bill. I am aware of the time constraints of this session. I would like to take this opportunity, however, to bring members up to date on some developments since the bill was reintroduced this spring.

On previous occasions the Attorney General had indicated the Uniform Law Conference of Canada was studying the provisions of the bill with respect to jurisdiction and custody matters and enforcement of extra-provincial custody orders. I am pleased to report that those provisions have been incorporated in a new uniform custody, jurisdiction and enforcement act that was provisionally approved by the Uniform Law Conference of Canada at its summer meeting this year.

In the past, there has been some misunderstanding and concern about Ontario's position with respect to the uniform custody enforcement legislation in many of the other provinces. The adoption of the Ontario provisions by the Uniform Law Conference signifies the wisdom of our approach and constitutes a recommendation to other provinces to amend their legislation to make it uniform with ours.

Accordingly, the desirability of early enactment of our proposals is evident. In the same vein, much interest and support has been shown with respect to our proposal to implement the Hague Convention on Civil Aspects of International Child Abduction. The addition of the Hague convention to the Children's Law Reform Act is the most important change from the bill that was before the standing committee last session.

As outlined in the Attorney General's statement on first reading, the convention creates reciprocal rights and obligations between subscribing jurisdictions for return of a child who has been wrongfully removed from his home state. By enacting this bill, we will be able to request the federal government to accede to the convention on our behalf and thereby secure major advantages for Ontario residents whose children are abducted to any other country that has agreed to the convention.

These developments with respect to the new uniform custody enforcement legislation and the Hague convention make it clear Ontario is regarded as a leader in the effort to combat the tragic problem of child abduction. We can be certain our colleagues across the country will be watching with interest the progress of our legislation.

In conclusion, I would point out that we have before us a bill that aims to settle custody disputes in the best interests of the child. I hope all members of the Legislature will join with me now in proceeding with the enactment of legislation that is in the best interests of the children of this province.

Mr. Nixon: Mr. Speaker, we are supporting the bill.

Mr. Renwick: Mr. Speaker, we will support the bill, and I understand from both the statement of the parliamentary assistant tonight and the statement made by the Attorney General when the bill was introduced in this House the fact that it refers to a bill that would have been law before this time had parliament not been dissolved.

I assume the bill will go out to the standing committee on administration of justice for consideration, because I am certain that in areas related to the custody and guardianship of children and their property, there are members of the public who will want to make submissions and who will want to be certain that they fully understand the bill.

I do, however, want to pay tribute to the former Deputy Attorney General for the role he played in the international negotiations that led to making the convention on the civil aspects of international child abduction a part of international law and for the procedure that the government will be undertaking if authorized by this bill to bring that convention into force in Ontario. I think this matter has been of extreme concern for a long time, and I know that although it will not solve all the problems it may well assist in some way in providing a more orderly and regularized method of dealing effectively with so-called parental kidnapping and abduction from one jurisdiction to another.

Mr. Speaker, we certainly support the bill on second reading and we look forward to the discussion of it in committee.

Mr. G. W. Taylor: Mr. Speaker, as the member for Riverdale has remarked, it is the concern and request and desire of the Attorney General that, should this bill receive the approval of this House, it go to the justice committee for further review. It has been there once before and it has been before the House for debate previously, but there are some new features to the bill, particularly the international conventions. Again, as in all pieces of legislation, to be

reviewed by a committee is worth while, particularly in view of the new provisions that are present in this bill.

Motion agreed to.

Ordered for standing committee on administration of justice.

POLICE AMENDMENT ACT

Mr. MacQuarrie: Mr. Speaker, on behalf of the Solicitor General (Mr. McMurtry), I move second reading of Bill 107, An Act to amend the Police Act.

Mr. Breagh: On a point of order, Mr. Speaker: Who was the honourable member who just spoke and why is he speaking from that position?

Mr. MacQuarrie: Mr. Speaker, in answer to the member for Oshawa, I am the member for Carleton East. I normally occupy another position in the House.

Mr. Breagh: That is exactly the point, Mr. Speaker. It is my understanding that a member may speak from his position and that is it, period.

The Acting Speaker (Mr. Cousens): I accept the point of order. The honourable member will speak from his own seat.

Mr. MacQuarrie: It will be my pleasure, Mr. Speaker.

Hon. Mr. Gregory: Mr. Speaker, on a point of order: I wonder if I might ask the indulgence of the House to allow the parliamentary assistant to speak from the seat of the minister in the absence of the minister.

Mr. Breagh: On a point of order, Mr. Speaker: I would have no objection to that, quite frankly, if the member wanted to move it out to procedural affairs so we could discuss it backwards and forwards and sideways and bring in a recommendation on that. I am sure we would be happy—

The Acting Speaker: If I have the unanimous consent of the House for it, I would be pleased that the honourable member may remain where he is.

Mr. Breagh: No. I am not prepared to break the rules of the House, which are very clear on that particular matter. I am prepared to send it out to committee. If the minister wanted to ask for unanimous consent before he spoke that is another matter, but I think the rules are fairly clear. I am sure the chair would be very quick to

point out to an opposition member that he is not allowed to say anything at all if he is not in his place.

9:50 p.m.

Mr. Nixon: On a point of order, in my opinion, the member for Oshawa is entirely correct. It seems to me in the past whenever a parliamentary assistant was handling a bill on second reading, he did so from his own seat, because there is no occasion when it is necessary for a deputy or an assistant from the civil service to advise. It seems to me when we went on to a committee stage where there might be some necessity for advice for amendments and so on, the House leader or the parliamentary assistant would ask permission of the House to move to a more convenient place. They did not do it this time, so I think the honourable member is right that it is out of order. Even on second reading, I do not think there should be such a request.

The Acting Speaker: The chair recognizes the point of order. The member will deal with this bill from his own seat. I have accepted the points of order.

Hon. Mr. Gregory: On behalf of the members on this side, we do apologize for this oversight. It certainly was not our intention to breach the rules of the House, and I thank the members for drawing it to our attention.

The Acting Speaker: Does the House accept the motion on the floor as having been made? Will you move it now please from the beginning?

Mr. MacQuarrie, on behalf of Hon. Mr. McMurtry, moved second reading of Bill 107, An Act to amend the Police Act.

Mr. MacQuarrie: This act is a simple one, an amendment for housekeeping purposes of the Police Act to permit the expansion of the Ontario Police Commission and to permit members of the commission to constitute a quorum thereof.

Mr. Nixon: Mr. Speaker, I thought perhaps the honourable member might have indicated to the house why the Solicitor General feels the police commission should be expanded in size. I certainly hope it is not just an opportunity to appoint more good solid Tories to positions of emolument. I am not reflecting on the present composition of the police commission, but I do recall that a short time ago a former president of the Progressive Conservative Party of Ontario was appointed as chairman of that commission.

Actually, I got to know him a little bit before his appointment during his incarnation as a politician. Although he himself was not a candidate he used to take part in campaigns and made a specialty of by-elections. As a political party leader at that time, I made a specialty of by-elections myself and I used to meet Elmer Bell on the hustings, particularly in western Ontario, which was his specialty. I think probably it was a draw as to who won more by-elections, but we won our share in those days as we will in the future.

I thought, since the bill is not about by-elections or about finding jobs for underemployed past presidents of the Progressive Conservative Association of Ontario, we ought to indicate our belief—or my belief at least—in the importance of civilian control of the police. The commission has a very far-reaching control since it can move into any community that has a police commission and through its overriding responsibilities undertake a review at the local level. A number of these reviews are going forward at the present time.

The powers of the commission are extremely extensive and its responsibilities are very heavy. Fortunately, in this province, we have not had a great history of problems in the control of our police forces, although they have recurred on a regular basis over the 20 years I have been taking part in the debates in this House. I am not sure whether they are increasing in frequency and whether that is one of the reasons the parliamentary assistant is moving the bill that will expand the size of the commission.

It has been a commission of three for a considerable period of time. There has been no indication, to us at least or from any other reports, that they are not fully occupied, or even that they require additional assistance in holding certain hearings. As far as we are concerned I suppose we have no objection.

My honourable colleague, the member for Erie (Mr. Haggerty) has indicated that with tough times there has to be a make-work project of some sort, and that may be the justification for the bill. The change in the quorum is of very little significance. Actually I suppose the wording is as good now, or perhaps even better, but I do hope when the parliamentary assistant concludes the debate he gives us some reason the legislation is required.

Mr. Breaugh: Mr. Speaker, we will oppose the bill. There are a couple of principles involved in it that I suggest are not very healthy at all. The first one is a simple notion. The bill is

worded in such a way that it says in a rather negative sense “not fewer than three.” For a very important agency like the Ontario Police Commission, this House is being asked to accept the notion that some unstated number of members will form the police commission.

I would think for an agency of this power and scope we would want to have a clear idea of precisely what we are setting up here. Are we talking five members, are we talking eight, or are we talking two dozen? Precisely, what is the intention of the government? It strikes me it would certainly be unusual to say, for example, that this House shall consist of not fewer than 125 members. I would imagine the people of the province would like to know exactly what we are talking about there—200, 300; how many?

There is an awkwardness to the phrasing which brings with it an awkwardness of principle. On something like a police commission I would imagine that most people would want to have a very specific concept in mind and it should not be stated in such a negative way.

I would repeat the argument that on many occasions we have called for a winter works program. In this case we would feel the scope of the job potential is rather limited and we would like to see it expanded somewhat.

The second principle, which in my view is an important one, is that in rare circumstances the Ontario Police Commission has extensive power. Even in normal circumstances it has a lot of power. For example, the police commission could be asked to investigate the workings of a local police force. This bill establishes the principle that the chairman, whom I assume would call the meeting, and one other person could determine whether a local police force was being effective, had some corruption attached to it, was not operating properly, or could exercise any of the powers the Ontario Police Commission has—two people. It would be my contention that is an unreasonable way to proceed.

Mr. Nixon: It is two people now, isn't it?

Mr. Breaugh: Yes, it is now.

Is the purpose of the exercise to expand the police commission somewhat? I believe five to eight members has been mentioned as an appropriate number on the police commission. Fewer than half of the people on the police commission would constitute a quorum. I would suggest for any of the other agencies the government has that would be an unacceptable way to proceed; I think it is unacceptable here.

In my view the workings of the police

commission ought to be clarified, opened up and be far more specific than they are now. I suppose the argument will be made that by simply noting here that two members constitute a quorum, one will be legitimizing something which I think has been questioned in certain quarters. As to whether it is proper or not, it would be my position and the position of my party that the current practice is not good enough and that we ought to clarify, expand and open up the workings of the police commission, and this bill does not do that.

Mr. MacQuarrie: Mr. Speaker, in response to the comments of the member for Brant-Oxford-Norfolk—and I suppose they apply equally as well to the member for Oshawa—it should be pointed out that at this moment the Ontario Police Commission consists of three members, a full-time chairman and two part-time members.

10 p.m.

The restriction on the number of persons contained in the legislation as it now exists has, to an extent, proved unworkable because of the increased number of hearings and the increased length of hearings. It was felt desirable as well by the government to have a measure of fluidity in the membership. It was also felt desirable to have some increased representation on the board from groups and parties interested in the process, but no definite number has been set in the bill.

To my mind that was a wise provision. It allows for a certain measure of flexibility. It permits additional appointments to meet work loads which ebb and flow. The amendments proposed are eminently sensible and I would hope the New Democratic Party will see fit to support the amendments as presented.

The Deputy Speaker: All those in favour of the motion will please say “aye.”

Those opposed will please say “nay.”

In my opinion the ayes have it.

Motion agreed to.

Ordered for committee of the whole House.

MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS AMENDMENT ACT

Mr. Mitchell, on behalf of Hon. Mr. Walker, moved second reading of Bill 162, An Act to amend the Ministry of Consumer and Commercial Relations Act.

Mr. Mitchell: Thank you, Mr. Speaker. I must concur with the members opposite, and admit to having brought this on at the last minute.

This is merely providing to the Minister of Consumer and Commercial Relations the same facility I believe some nine ministries have. An example that comes to mind is that every new cemetery requires the minister at the present time to personally sign authorizations and so on. This is an attempt, really, to speed up the processes within the ministry. I believe that is sufficient.

Mr. Nixon: Mr. Speaker, it was impossible for me to attend the regular meeting of the House leaders last Thursday. I was asked to go to Ottawa with the mayor of Brantford on a matter of urgent public importance. For that reason, the House leaders' meeting evidently failed to schedule a list of bills for our consideration tonight that would fully occupy the time. If I had been there I am sure the schedule would have been more complete and viable. But after all, one simply cannot be everywhere at once. You understand that.

Regarding this bill, I want to confirm what the parliamentary assistant has said. We have been presented with a number of these bills. I believe for many years ministers were delegating their authorities to their deputies and other officials down the line. It was not until some alert person at one of the desks under the press gallery got thinking about it, probably in the middle of the night. The thought was: “My God, there is not proper authority to do this. The government is going to collapse unless we give them special authority for the minister to tell the deputy that he can do something. If we do not do this by act of Parliament then probably the workings of the administration of the province will grind to a halt.”

We have done this over the last two years for many of the ministries, and I am very glad to support the government as it does the same thing for the Ministry of Consumer and Commercial Relations.

Mr. Renwick: We would support Bill 162, for the simple reason that we are delighted whenever a statute provides conclusively and without any question for the responsibility of the minister in the event that he chooses to delegate any of his authority. The ultimate responsibility of the minister is reserved in both provisions of this bill. We, therefore, have no objection to it, and are prepared to support it.

Mr. Mitchell: Mr. Speaker, I would like to

thank the members opposite for allowing this to come on at such short notice. Their comments have been appreciated.

Motion agreed to.

Ordered for third reading.

House in committee of the whole.

POLICE AMENDMENT ACT

Consideration of Bill 107, An Act to amend the Police Act.

Mr. MacQuarrie: On a point of order, Mr. Chairman: I was wondering if I could occupy a seat in the front row, close to the ministerial staff.

The Deputy Chairman: That is agreed.

On section 1:

Mr. MacQuarrie: Mr. Chairman, section 1 of the bill provides in essence the facts of the whole bill. It provides that the police commission, which currently consists of not more than three members, with the passage of this bill shall consist of not fewer than three members, who shall be appointed by the Lieutenant Governor in Council. It provides as well for a quorum of the commission as reconstituted being two members.

10:10 p.m.

Mr. Breagh: Mr. Chairman, I would like to give the government an opportunity to clarify the wording. Surely the concept of putting it that way, "not fewer than three members," is not acceptable even to them. You must have some concept of the number of people you are really trying to get. I would like to elicit from the honourable member just what he is talking about.

Is he talking about five, eight or whatever? I would ask the government to word it in such a way that it says, "not fewer than three and not more than eight members." If they have a particular number they are aiming at, would they share that with the committee? Would the member tell us exactly what he is proposing in this section?

Mr. MacQuarrie: Essentially, what we are proposing is more than three. We have found that three has, by and large, been unsatisfactory. As I outlined in my opening remarks, at the present time the commission consists of a full-time chairman and two part-time members. I assume the commission, as expanded, will initially consist of five members but that is a question for the Lieutenant Governor in Council to decide.

Mr. Breagh: I do not understand what is going on. Either you know how many people you want to appoint to this commission or you do not. It is ludicrous for you to suggest you are leaving it this way and then you are going to let the Lieutenant Governor in Council appoint to this commission whatever number he or she sees fit. You must have a slightly better story than that. Try it again.

Mr. Nixon: Mr. Chairman, I want to support the member for Oshawa and suggest to the parliamentary assistant that he accept the recommendation. As a matter of fact, the member for Oshawa is much more moderate and agreeable than he usually is.

He is really saying, "You put the limit on it, but put a limit." If you feel the limit ought to be more than three and fewer than eight or fewer than 10, I think it would be quite readily handled. If you make some kind of mistake, maybe we can amend it next year. I think the point the member for Oshawa is making about our reluctance to leave it without a limit of any kind is well taken.

Talking about ill-considered drafting, this is surely an example where the parliamentary assistant would be thanked by his master, when he returns from one of those interminable dinners he attends, if he proposed some sort of reasonable limit, not less than three, nor more than eight, or whatever he thinks is proper. To leave it open-ended and to say this is up to the Lieutenant Governor in Council is really inappropriate.

The commission is established by the Legislature. We are not saying we should have the power to name the commissioners, although we could make some suggestions if you insist. Surely, you should grant the Legislature the power to set an upper limit on the numbers.

Mr. Riddell: Mr. Chairman, I am not all that knowledgeable about the onerous responsibilities of this commission, but I would like to ask why we need three more, five more, seven more, or whatever it may be, commissioners. You have indicated the two now are part-time. Has this always been the case? Is it a case where the commissioners are always working on a part-time basis?

Do we have just one full-time person and that is the chairman? If you are talking about five, are they still going to be acting on a part-time basis or are they going to be looking at full-time responsibilities? What is the reason for extending the commission to more than three? If it is a case of onerous responsibilities, you must surely

know how many more it is going to take to carry out these responsibilities. We could be looking at 12 or 15, whatever the members over there desire. I quite agree with the member who—

Interjection.

Mr. Riddell: Did you make an amendment?

Mr. Breagh: I'm trying to.

Mr. Riddell: Well, he is going to make an amendment. I quite agree with him. You just cannot leave it at something more than three; surely you have some idea what it is going to take to do the work. I want to know just what these added responsibilities are that the present commission cannot handle.

Mr. Breagh: I have attempted to elicit from the government what numbers it is talking about, and in lieu of a response from it I offer as a suggested amendment, which I am asking the government to accept now, that it simply insert the words "and not more than eight" after the words "not fewer than three members." I am asking the government if it is prepared to accept that as an amendment. It is very officially written out here on a piece of paper. Mr. Renwick will second that motion, I am sure.

Mr. Chairman: Mr. Breagh moves that section 1(1) be amended by inserting the words "and not more than eight" after the words "not fewer than three members."

Mr. MacQuarrie: Mr. Chairman, I would like to respond initially to the question raised by the member for Huron-Middlesex. The police commission as established under the Police Act deals with the general operation of policing in Ontario as provided, particularly by police forces. It serves in many instances as an appeal tribunal, not only with respect to appeals generated within a force itself—for instance, disciplinary hearings—it also deals with complaints against particular police officers that go initially to the chief of police, to the local police commission and, on appeal, to the Ontario Police Commission.

At the present time it is finding that its hearings are increasing both in number and in length. Incidentally, as I already pointed out, the commission is composed of one full-time chairman and two part-time members, and I expect this type of structure will continue in the future, with additional members, as they are appointed, serving in a part-time capacity.

I think the government was wise to draft the legislation in the manner it did to allow the commission the flexibility at any given time, depending on the pressures of particular situa-

tions, to have such number of members as would enable it to discharge its duties in an efficient fashion. I do not expect, in speaking here, that the membership will exceed five or seven, but I certainly would not be prepared to say that at some time it might not go even higher.

Mr. Breagh: Are you accepting the amendment or not?

Mr. MacQuarrie: At the present time I am not accepting the amendment, Mr. Chairman, and—

Mr. Breagh: On a point of order, Mr. Chairman: I am not sure that I see a quorum in here.

Mr. Nixon: Well, wait a minute. If we are going to do something fancy like that, let's adjourn the House.

10:20 p.m.

Mr. Chairman: I agree with that; there is no quorum.

Mr. Chairman called for the quorum bells.

10:24 p.m.

Mr. Chairman: A quorum exists. The member for Oshawa had the floor.

Mr. Rotenberg: He didn't know what to say, so he called a quorum.

Mr. Breagh: I hear a little rumbling from across the hall. You have a majority; surely you ought to know you have to have a few members around once in a while. If your chief whip cannot do the job, maybe you ought to replace him.

Mr. Rotenberg: You had one member earlier this evening.

Mr. Breagh: It is your government; have the quorum.

Mr. Renwick: They are your bills we are debating, they are not ours.

Mr. Breagh: They are your bills; you want them. You have a whip; he is supposed to provide a quorum for the business of the House.

Mr. Kennedy: They heard you were speaking.

Mr. Breagh: I was not speaking. As a matter of fact, it was your member who was speaking. You ought to stay awake some night in here. You ought to stay awake in here once in a while.

Mr. Chairman: All right; back to the bill.

Mr. Breagh: I am still waiting for the government to give us some rhyme or reason as to why they would put such awkward wording in a bill like this, and to hear from the government spokesperson in this particular instance, who

has just said he thought they would not need any more than five or seven members. Having said that, how in the world can he then proceed to say that an amendment that would simply limit it to eight, which is more than they want, is not acceptable? That is the screwiest logic I have heard in here in some time.

Mr. Chairman: Would the parliamentary assistant like to make another comment?

Mr. MacQuarrie: After hearing the member for Oshawa, the government would be prepared to consent to an amendment whereby the membership shall consist of not more than nine members who shall be appointed by the Lieutenant Governor in Council.

Mr. Breaugh: In the spirit of Christmas, I would be happy to accept that.

Mr. Chairman: Mr. McQuarrie moves that section 1(1) of Bill 107 be amended by inserting the words "and not more than nine" after the words "not fewer than three members."

The member for Oshawa has withdrawn his amendment.

Any further discussion? No further discussion.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

Bill 107, as amended, agreed to.

On motion by Mr. MacQuarrie, the committee of the whole House reported one bill with a certain amendment.

The House adjourned at 10:28 p.m.

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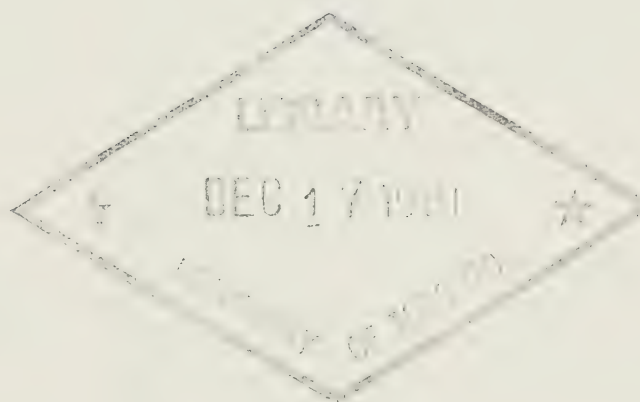
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No. 121

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Tuesday, December 8, 1981

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, December 8, 1981

The House met at 2:03 p.m.

Prayers.

Mr. Speaker: Statements by the ministry.
Oral questions.

Mr. Peterson: Is it your intention, Mr. Speaker, to wait for the rest of the cabinet to come in? How would you like to handle this?

Mr. Speaker: The standing orders say that the House convenes at precisely 2 p.m.

Mr. Peterson: Could you read that to the cabinet, sir? It would be helpful.

Mr. Speaker: That is not my responsibility, with all respect. Proceed.

Mr. Peterson: Mr. Speaker, could we engage in some spurious points of order and privilege for a while in order to delay and give them some time to come?

Mr. Speaker: What else would be new? Please proceed.

Mr. Peterson: It is the Christmas season. I feel charitable, Mr. Speaker, but I—

Interjections.

Mr. Peterson: Mr. Speaker, I call for a quorum. I do not see a quorum.

Mr. Speaker: There is a quorum.

WINTARIO GRANTS

Mr. Bradley: I have a question of privilege to bring to the attention of the Speaker.

Mr. Speaker: Is it a question or a point of privilege?

Mr. Bradley: A point of privilege, that is what it is. I just wonder whether the Speaker is going to report at this time on the question of privilege that was raised by the member for Quinte (Mr. O'Neil) and the member for Victoria-Haliburton (Mr. Eakins) yesterday. Does he have a report for the House at this time?

Mr. Speaker: It is neither the duty nor the responsibility of the Speaker to report.

Mr. Bradley: Respond?

Mr. Speaker: Or to respond.

AUTOMOBILE INDUSTRY

Mr. Kerrio: At least two or three weeks ago, I raised what I thought was a very important

question with the Minister of Industry and Tourism (Mr. Grossman). It relates to the astronomical deficit we have in the auto industry. He promised to bring figures and some report. Because of the gravity of the situation, I am very disappointed and I wonder, Mr. Speaker, if you could see if he will come in with an answer.

Mr. Speaker: No, I will not, but you may ask the minister the question at the appropriate time.

NOTE RECEIVED BY MEMBER

Mr. R. F. Johnston: On a point of privilege, Mr. Speaker: There have been some scurrilous things said in the last few days about a certain note I received in a brown paper envelope last Thursday. I will read it: "Treasurer Frank Miller had his ministry pay for a Christmas reception at the Royal York Hotel," and it goes on.

I just want to make it very clear that although there are a number of spelling mistakes in this note and therefore one might presume it comes from the cabinet, I did not say that the Minister of Industry and Tourism (Mr. Grossman) sent this to me.

Mr. Speaker: I am sure we are all relieved and pleased to hear that.

Mr. Peterson: You are sure, Mr. Speaker, there are no more points of privilege from my friends?

Mr. Nixon: Mr. Speaker, would you put the hook on the member for Sudbury East (Mr. Martel)? He is interfering with the debate.

Mr. Speaker: The member for Sudbury East will please resume his seat so the member for London Centre may proceed.

Mr. Peterson: Mr. Speaker, I have a question for the member for Sudbury East. How could he possibly sell out like that? That is the question. I am told he can be easily had.

ORAL QUESTIONS

TAXING OF DAY-CARE CENTRES

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Revenue. It was reported in yesterday's press that the provincial realty tax

assessors have visited various day-care centres located in public schools in North York and advised the operators that the space would be assessed by the Ministry of Revenue and taxed by the municipality in 1982. The estimated yearly cost per child would be in the order of \$125.

Given that a large proportion of Ontario's 60,000 children in licensed day-care centres are from low income families, subsidized by municipalities and thereby indirectly by the province, does the minister not realize that taxing day-care centres in schools will add to the financial burden of working people and to the pressure on already strained municipal social service budgets? Why then has the government decided, and whose decision was it, to go after day-care centres in public schools?

Hon. Mr. Ashe: Mr. Speaker, that is not a change of policy at all. It is the responsibility of the assessment department under the jurisdiction of the Ministry of Revenue to assess all properties of that nature. The fact that they are in a school building is not relevant to the situation.

Although everybody can talk about purity on this issue, when we do not assess property along these lines, it is the municipality that comes forward and says: "It is your responsibility, Mr. Ontario Government, through the Ministry of Revenue, through the assessment function, to assess property if there is property that should be assessed for taxation purposes. Regardless of the use, it should and must be put on the roll." In fact, that is the legislation.

Let me quote from a letter that points that out to us. This is a letter from the treasury department of the city of North York, and was written earlier this year to my assessment commissioner for North York:

"As discussed with you today, I am enclosing a list obtained from Mr. Don Chisholm, property manager for the board of education, of properties which they are presently or will be in the very near future, leasing. It would be appreciated if you would have your assessors investigate these properties to determine if any of the areas occupied should be assessed as taxable." They go on to say: "We have asked the school board to put you on their mailing list so we will know of all similar transactions as they come forward."

I think that is our responsibility. I know we can debate the merits of the end use of that particular space, but I think we have to recognize that over the next number of years, more

and more excess school space will be put to other uses. It is quite proper, quite in order and in fact the law that we assess it.

2:10 p.m.

Mr. Peterson: Supplementary, Mr. Speaker: Does the minister think it is fair and sensible that a municipal day-care centre located in a public school is exempt under section 3 of the act, but a nonprofit day-care centre subsidized by the municipality possibly in the same building in the same school is taxable under the act? Does that not speak to a ridiculous policy? Why does he not change the Assessment Act so that all nonprofit licensed day-care centres in this province will be exempt from municipal taxes?

Hon. Mr. Ashe: Mr. Speaker, I think it is safe to say that a case could be made as to why any particular service should or should not pay taxes. Again, that is not relevant. In nonprofit versus profit-making ventures in day care or in other items, there is no difference whatsoever in the realty tax itself; both are subject to realty tax. The difference is that the nonprofit corporation or agency is not subject to business tax. That is the only difference.

Mr. Di Santo: Supplementary, Mr. Speaker: I hope the minister realizes that with his policy he is making it impossible in areas such as my riding to have any kind of day-care centre. If on the one hand he is denying money to day-care centres and on the other hand he is taxing nonprofit day-care centres so heavily, can the minister tell us how he thinks the problem should be solved, especially in working-class areas such as my riding? Can the minister also tell us, since he did not answer the previous question, if he thinks the Assessment Act can be changed so that nonprofit day-care centres can be exempt from property taxes?

Hon. Mr. Ashe: Mr. Speaker, in answer to that last part, I suppose any act can be changed, but you have to think of the intent of all legislation: Is it fair and equitable to all? I think that is the key point. There are many businesses in operation that are nonprofit. Maybe they did not plan it that way and hope it will not turn out that way, but they are nonprofit in the meantime, particularly in this day and age. So really that is irrelevant to the question.

The other thing the honourable member is forgetting is that the provincial government does not derive one red cent from the assessment function per se. Assessment is done for the benefit of revenue to the municipalities. It is, of course, open to municipal councils to make

grants back to a particular organization if they wish to do so; that is always open to them if they feel they are justified or if the cause that is put before them deserves their consideration.

Mr. Peterson: Mr. Speaker, I do not think the minister understood the question. It is not commercial versus nonprofit; it is municipal that is not taxed under this system. The government is creating a discriminatory system. It is robbing one pocket and putting it into the other pocket. It is putting a very heavy burden on an already overpressed social services budget. Why does the minister not just change the law and provide wider access for all people across the province?

Hon. Mr. Ashe: Mr. Speaker, as always this government is constantly looking at its laws and regulations to make sure they are fair and equitable to all.

CHESHIRE HOME POLICY

Mr. Peterson: Mr. Speaker, I have a question for the Provincial Secretary for Social Development. I want to draw the provincial secretary's attention—I know she will be concerned about this—to a situation with a constituent in my riding, a chap by the name of Slim Adams. Formerly he lived in a Cheshire Home, and now he lives in Parkwood chronic care hospital in London. In November 1979 he received an inheritance of \$100 from his mother, who had passed away. The ministry decided to deduct that inheritance from him at the rate of \$10 a month. It is deducting that from his comfort allowance, which should have been \$61 but is now \$51 a month, over the next 10 months. Does the provincial secretary like that policy? Is she proud of her government doing that?

Hon. Mrs. Birch: I do not think it is a question of being proud of my government. I do not think my government is even aware that has happened. I certainly am not. I find it appalling, and I will look into it right away.

Mr. Peterson: Supplementary, Mr. Speaker: Do I have her undertaking to go to the minister, who I gather makes the decisions—I am not sure exactly what the provincial secretary does—and discuss it with him and change that iniquitous, unfair law, particularly at Christmas time, when it is robbing \$100 out of this poor man's pocket?

Hon. Mrs. Birch: Mr. Speaker, I have already suggested to the honourable member we will look into it immediately. We do not condone that kind of action at all.

Mr. R. F. Johnston: Supplementary, Mr. Speaker: What is the policy of the ministry? If that was not \$100 but was \$3,000, what would the position be? What is the ministry's position on inheritance?

Hon. Mrs. Birch: I think there are times when, depending on the amount of the inheritance, it would have to be looked into; after all, it is taxpayers' money. But I think in cases like this there is no need for that kind of action by the government or by anyone else.

URBAN TRANSPORTATION DEVELOPMENT CORPORATION

Mr. Foulds: Mr. Speaker, I have a question for the Minister of Transportation and Communications. Can the minister explain why at no time in the proposals requested by the Urban Transportation Development Corporation—which resulted in the decision to form a joint venture between TIW Industries and UTDC to build the intermediate capacity transit cars at Kingston destined for Vancouver, Scarborough and possibly Detroit—did the minister request the firms from which he sought information to provide him with any information about the production costs of such vehicles? Why did he seek no firm information about the total cost of the vehicles or the plan?

Hon. Mr. Snow: Mr. Speaker, first I would say that the requests for proposals issued to the five companies were issued by UTDC.

Mr. Foulds: They are responsible to the minister, are they not?

Hon. Mr. Snow: They sure are.

I have trouble with the rest of the honourable member's questions. The companies were asked to put forward proposals on the basis that they would enter into a joint venture agreement with UTDC for the manufacture of these vehicles. This was not a tender or a bid for the supply of the vehicles, because the components of the vehicles, many hundreds of different components, will be bought, either by UTDC and supplied to the joint venture company, or by the joint venture company and assembled. The car body itself, the shell, is to be manufactured by the joint venture company, so it was not a situation where we would ask for a price or a bid as to how much per car. They asked for proposals—labour rates, I believe, overhead rates, capital contribution, capital financing proposals—but not a bid in the true terms of a bid.

Mr. Foulds: Supplementary, Mr. Speaker: Is this document of four pages and one paragraph, which was anonymously received by the leader of the New Democratic Party, the member for Ottawa Centre (Mr. Cassidy), the sole information that was sought and the sole information that was evaluated by the UTDC and his officials? Will the minister, as has been requested, table the replies from the various suppliers—Can-Car, Bombardier, McDonnell Douglas and TIW? Does he think it is a good principle, a good business proposition, to go into this joint venture not knowing what it will cost him and not having a firm cap on any of the costs of the plant or the vehicles?

2:20 p.m.

Hon. Mr. Snow: It is very easy to say “not having a firm cap” on the cost of the vehicles. I can assure the member that the type of contract entered into today, especially the contract I can recite that was entered into with his favourite company in Thunder Bay, is not a firm contract. It is a base fit with escalation factors built into it, which a company on a long-term project like this has to have. So there is not a cap on any type of contract like that today.

Mr. T. P. Reid: Supplementary, Mr. Speaker: Has the minister looked at the various bids himself? Has the minister himself had a look at the bids, tenders or proposals, whichever word he wishes to use? Is he satisfied that this new company can build a facility, with the capital cost involved with that, and produce a product at a lower price than the existing firm in Thunder Bay that needs the assistance, particularly in these economic times?

Hon. Mr. Snow: Mr. Speaker, I understand the large amount of information that was supplied by the proposers was supplied to the Urban Transportation Development Corporation. It was reviewed by the management of UTDC and a decision was made by the board of directors of UTDC to enter into the contract with TIW Industries. I personally have seen an executive summary, I guess one would call it, of the evaluation of the different companies. The decision, as I said, was made by the board of directors; under the legislation of the Canada Corporations Act it is charged with the responsibility of operating that company.

As to whether the cars should have been built in Thunder Bay or in Kingston, that again is another management decision. The cars must be assembled at Kingston; they must be there for the many hours of testing at different times during the manufacturing process.

I am certainly aware of the facilities at Thunder Bay. As a matter of fact, it is only a few weeks ago that I entered into a contract through the Toronto Area Transit Operating Authority for \$59 million for the construction of another 71 double-deck, bilevel, GO Transit cars.

Mr. Mancini: What do you have against Thunder Bay? Why are you taking jobs away from Thunder Bay?

Hon. Mr. Snow: That is almost \$60 million that my ministry put into Thunder Bay that the member's colleague, I am sure, would like to have seen go to Windsor.

Mr. Foulds: Supplementary, Mr. Speaker: Will the minister table in this House the evaluation by UTDC? Will he table any evaluation that his ministry officials did? Will he table those agreements, the arrangements and the figures in the House, as evidently Mr. Foley of UTDC promised the Save Can-Car committee and a meeting arranged by my colleague and friend, the member for Fort William (Mr. Hennessy)? Will he make those public so we can publicly scrutinize the reasons that UTDC and his ministry decided to enter into this agreement? Can he explain why no financial data was asked for?

Hon. Mr. Snow: First of all, Mr. Speaker, I do not know whether any financial backup was asked for. We invited what I believe are five very reputable companies, which are well known in this country, to submit proposals. Those proposals were evaluated. My colleague, the member for Fort William, has arranged a meeting for the Save Can-Car committee and officials to meet with the board of directors.

PRIVATE HOSPITALS

Mr. Foulds: Mr. Speaker, I have a question for the Minister of Health (Mr. Timbrell) or the Premier (Mr. Davis) but they do not seem to be present. I will ask the Minister of Colleges and Universities (Miss Stephenson) if she can interrupt her conversation so that I can therefore place a question to the Provincial Secretary for Social Development. Is everybody ready?

How many deaths and how many inquests and inquest jury reports such as that concerning Gregory McCaughey, who died from asphyxiation from his own vomit in Beverley private hospital, will it take before the government closes down private hospitals like Beverley and opens up the 650 long-term beds the government has promised and the 2,000 that are needed in Metro Toronto?

When is the government going to implement the first two recommendations of the coroner's jury report on these important matters?

Hon. Mrs. Birch: Mr. Speaker, I think that question should more appropriately be directed to the Minister of Health. The minister has all of those concerns under very active consideration. He has already announced the closure of the Beverley hospital. I am sure the recommendations the inquest jury has handed down will be very carefully considered by the Minister of Health with a view to implementing them.

Mr. Foulds: I was not aware the minister had announced the closedown. I thought they were only beginning the process. That is good news.

Can the provincial secretary tell me whether, as a matter of policy, her government is now going to take the steps to phase out those private hospitals as recommended by that coroner's jury? Will she tell me, if her Minister of Health was so concerned, why were there complaints received by the Ministry of Health concerning abuse of patients at that hospital over the previous number of years, including complaints that an elderly woman was asked to bathe in water that had already been used by two patients and that another elderly patient had been found restrained, sitting in her own faeces?

Will she tell me why, if her minister was so concerned, those steps were not taken, and steps were not taken earlier to close down that hospital? Is this the kind of entrepreneurial innovation in the private sector the minister talks about?

Hon. Mrs. Birch: That last comment was uncalled for. I think the Minister of Health in this province has a great deal of concern for those whose care he is responsible for, and he has demonstrated it ever since he became the Minister of Health. Those remarks are beneath the honourable member. The Minister of Health in this province is concerned about everyone who is in care, either in a hospital, a nursing home, a rest home or an acute-treatment hospital. He will continue to be concerned.

Mr. Breagh: If he was so concerned, how come this happened?

Hon. Mrs. Birch: That is a good question. As long as human beings are in charge, we will continue to have problems like that. But as quickly as they are brought to the attention of the ministry, I can assure the honourable member they will be acted upon.

Mr. Van Horne: Mr. Speaker, we asked the Minister of Health in estimates a week ago,

prior to the report coming from the inquest, about not only the private hospital in question but all private hospitals, and his response was that although he had investigations going on at that spot for somewhere in the neighbourhood of five years, he could not make any further comment because it was sub judice.

Now that the facts are known and the recommendations are made, would the provincial secretary ask the minister if he is prepared, when we get into concurrence in another week, to make a full statement to this House about all aspects of the recommendations and what his ministry is intending to do about them?

Hon. Mrs. Birch: Mr. Speaker, I will draw the concerns of the honourable member to the Minister of Health.

Mr. Foulds: May I ask the minister why the 12 complaints over the previous six years were obviously not acted on, since Gregory McCaughey had to die before the ministry and the minister felt his concern was active enough and real enough to close the hospital? When are they going to implement the long-term beds that we need, not only in Metropolitan Toronto but throughout this whole province?

Hon. Mrs. Birch: Mr. Speaker, as I have already indicated, the minister is well aware of the problems of that hospital. It has been closed—

Mr. Foulds: Sure he was; he did nothing for six years.

Hon. Mrs. Birch: I am not aware of the investigation that went on for six years, or the independent instances that the member for Port Arthur refers to. He will have to direct that to the minister. I can only say that as quickly as possible the minister is bringing on line more accommodation right across the province.

2:30 p.m.

PROVINCIAL AUDITOR'S REPORT

Mr. Bradley: Mr. Speaker, I have a question for the wandering Minister of Consumer and Commercial Relations concerning the Provincial Auditor's comments on the Liquor Licence Board of Ontario. The auditor states he conducted a complete review of the board's administration at the request of the Deputy Minister of Consumer and Commercial Relations. Could the minister inform us when the deputy minister made that request, and what was the reason for him making it?

Hon. Mr. Walker: Mr. Speaker, the date was October 19, 1981. It was to have the matter

perfectly straightened out from the auditor's point of view. By then we had received the auditor's comments. There were some discussions back at the time it was before the procedural affairs committee in respect to those matters, because they too had made some comments.

We have insisted that the entire machinery of the LLBO be straightened out in a way that would not allow this kind of thing to happen again. The new chairman had a chance to put it into place by October 19. We have asked the auditor basically to review the setup we have, to be sure we would not have this kind of event happening again. We are satisfied that with the new procedural measures implemented down there, as well as the fact that the individuals involved are no longer with the board, there should not be a recurrence.

Mr. Bradley: Supplementary, Mr. Speaker: I heard the minister say it was October 19 of this year in his answer to my question, but I did not get a clarification of precisely why. But let me go to my supplementary question to the minister.

The Provincial Auditor noted, in his report, several instances where a senior official of the board provided hospitality to vendors doing regular business with the board, and frequently to other board staff members. The justification for much of this hospitality was questionable. Could the minister identify who this senior official was and who were the vendors to whom he extended the hospitality?

Hon. Mr. Walker: Mr. Speaker, I would have to get the information on the vendors to whom the hospitality was extended, but the individual involved would be Mr. Russell Cooper. At the time he was the executive director of the liquor licence board, which is the chief executive officer.

The approach taken by me was the same as that of my predecessor, the member for Scarborough Centre (Mr. Drea). We felt board members might find themselves in a rather difficult position if the vendors, who were perhaps applying for licences, extended them courtesies. If the organizations, or for that matter even those people who are providing distilling facilities in the province, were to be extending courtesies to our board members or to employees of the board, that might well open them up to some conflict of interest. Consequently, it was our feeling that whenever there was some hospitality, the bill should be picked up by the board, not the vending agency.

Mr. Bradley: My final supplementary is going to be the second part of my first question. That is, why did the deputy minister ask for this study?

Hon. Mr. Walker: The root of the matter was that, as a result of the information that came out, we were not satisfied with the manner in which matters were being conducted within the board. We felt there were some matters that had gone awry, as has been borne out by both the auditor's report and the public accounts committee's review of the matter. They were obviously unfortunate incidents that had flowed back over previous years. We wanted to make sure the board was functioning in a way the auditor would find totally compatible with his principles and directions.

FOUR WINDS RABBITRY

Mr. Wildman: Mr. Speaker, I have a question for the Minister of Culture and Recreation. Could the minister explain why it is taking the native community branch of his ministry so long to make proposals for saving the almost \$250,000 investment in Four Winds Rabbitry which has gone bankrupt in the Iron Bridge area of my riding?

Hon. Mr. Baetz: Mr. Speaker, we have been working with the Ontario Métis and Non-Status Indian Association for some time, along with the federal government, to try to find a solution for this venture that is apparently going bankrupt. It is really very difficult to know what happened. If we listen to some people, they will tell us the rabbitry was placed in the wrong place; it should have been closer to the big markets. Other people will tell us there is something strange about the environment of Iron Bridge, and that the rabbits are not quite as active there as they might be in some other areas.

Mr. Martel: Prolific.

Mr. Wildman: Are you kidding?

Hon. Mr. Baetz: But anyway we are continuing to work with the group along with the federal government. As the member knows this is a joint approach. I believe the federal government made an initial grant of some \$500,000. I think our grant was something like \$234,000. At the present time, the understanding is that if the venture should fold up we would retain at least some of the assets that are there, but apparently only three of the original 21 members of the local band are still active in the

project. It is a very complicated thing. We have not given up on it but, as the member has indicated, it takes some time to find a solution.

Mr. Wildman: Supplementary: I can understand why the minister might be somewhat facetious since this whole thing has been a comedy of errors ever since it was started. Could he please tell me whether or not he thinks this kind of investment, which was carried out on the advice of his native community branch as well as the federal government, is wise? Is he able to come up with anything other than the physical assets as a result of this expenditure of public funds, supposedly to provide approximately 13 jobs?

Hon. Mr. Baetz: Mr. Speaker, I am rather surprised the member would suggest that neither the federal government nor the provincial government should go into any kind of venture with the Indians unless there was a strong indication and a strong belief that it would work.

Mr. Foulds: That is not what he suggested.

Mr. Martel: He didn't say that.

Mr. Foulds: Your tongue has only a passing knowledge of the truth.

Hon. Mr. Baetz: In some of these things one has to take some kind of a chance. That after all is what one does anywhere else. I just do not understand why he would suggest we should have withheld our funds and not taken a chance at all.

Mr. Wildman: Supplementary: With respect, I did not suggest the minister should not put funds into it. I am suggesting that once he has done that he is responsible for trying to ensure the operation is successful. To argue there was not enough breeding stock or they were not active enough is ridiculous.

What has the ministry done to try and save the stock which over a month ago only had about two weeks of feed left?

Hon. Mr. Baetz: As I have indicated, we and the federal representatives are trying to work out ways and means with the remaining three members of the band who are still active in this to salvage what is salvageable. If the project has to close up there are some assets there and some of those assets will be returned to the federal government and some will be returned to us.

As I tried to tell the member before, it is a complicated thing. We have tried our level best

to make this a viable operation and unfortunately, as at this moment, it would appear it must terminate.

2:40 p.m.

STOUFFVILLE DUMP

Mr. Kerrio: Mr. Speaker, I have a question for the Minister of the Environment that relates to the Stouffville dump site. We are very concerned by the decision of the Environmental Assessment Board to allow the expansion of the Stouffville dump site. However, one note of optimism emerged in the statement the minister made yesterday or the day before concerning his philosophy regarding appeals. I would like to ask the minister if he remembers making the following statement:

"I still happen to believe that when there is an administrative decision made by an administrator—albeit a senior one—in my ministry or any other, that there ought to be an opportunity for some review of that if the individual who bears the brunt of that decision feels that it was somehow unfair, and that they ought to be entitled to some hearing or review."

Given this statement, and given the fact that under the present system interveners cannot appeal a decision of the board whereas the applicant can, will the minister amend the legislation and allow the people of Stouffville the right to appeal the decision of the board?

Hon. Mr. Norton: Mr. Speaker, the provision in the legislation the honourable member cites is one that causes me considerable concern. I think it is an inequity in the legislation and I have asked the staff of the ministry to review the matter.

I cannot say I can have any changes implemented in time for immediate reconsideration of that situation, but I think it is important to understand that what the member has referred to as the decision of the board is not a decision but a recommendation. I suppose to the extent they have decided on that recommendation it is a decision, but its effect is solely that of a recommendation to the director of the approvals branch of my ministry. He is the one who ultimately makes a decision based on the recommendation of the Environmental Assessment Board and other relevant information.

I assure the member and residents of Whitchurch-Stouffville the recommendation from the board is not all that will be considered by the director as he reviews the recommendation. A number of other matters were raised after the conclusion of the hearings held by the board

earlier this year and I think it would be only appropriate for the director to take them into consideration as well. That, I can assure the member, will be the case.

When the director will be in a position to make his decision I do not know. I expect it will be in the relatively near future. But it is probably going to take a few weeks to do a thorough review of the recommendations, weigh the evidence and information that has come forward since July and arrive at a decision.

So in a sense the board's decision, although not formally appealable, is a recommendation to the director, who is not bound by it. It is not legally binding; it is something he takes into consideration along with other relevant information in coming to a decision.

Mr. Kerrio: Supplementary, Mr. Speaker: Yes, that is my understanding. In fact, I will read the minister that section, section 33(5)(c) of the Environmental Protection Act, which states:

"A hearing by the board is for the purpose of making a report containing information and advice, and the report is not in any way legally binding in any decision or determination that may be made."

On that basis I wonder if the minister will consider reversing the recommendation of the board either by allowing an appeal by the citizens or, alternatively, by stopping the issuance of a certificate of approval for expanding the site? Further, how will we ever stop the not-in-my-backyard syndrome in getting rid of wastes unless the public has exactly the kind of appeal procedure at its disposal that the people have who are putting these dumps in place?

Does the minister not think it is time every citizen of Ontario had the same rights as those who pollute the environment?

Hon. Mr. Norton: Mr. Speaker, I think I have already indicated my position on the second part of the honourable member's question. It was rather lengthy, and now I am madly trying to recall what the first part of it was. Does the honourable member remember what the first part of his question was?

Mr. Kerrio: I will take that under advisement and bring the minister the answer tomorrow.

Interjections.

Hon. Mr. Norton: The honourable member does not remember the first part of his question either? When I am listening to a lengthy question like that I am concentrating on the

latter part as it approaches. It is bad enough if I cannot recall the first part, but if the member does not remember it that is serious.

Mr. Kerrio: Mr. Speaker, I am just going to inform the minister—

Mr. Speaker: I thought you were going to take it under advisement.

Mr. Kerrio: I changed my mind.

Mr. Speaker: Very briefly.

Mr. Kerrio: I may be accused of not being open with all our information.

My question to the minister had to do with the fact that he philosophically suggested that—he could go on from there now.

Hon. Mr. Norton: As I recall now the member asked me if I would reverse the decision. I think it is important for him to read through the whole of the legislation and realize there is a point in that process where I as minister am sort of the final appeal.

I think it would be entirely inappropriate at this stage in the process for me to intervene and direct the director as to what his decision ought to be. It seems to me that kind of intervention on my part at this stage would serve to disqualify me from discharging the responsibilities I have under the legislation, ultimately—after an appeal to the Environmental Appeal Board—to be the final arbiter on an ultimate appeal to the minister.

That is an option that is open to me. I could disqualify myself and intervene, in which case one of my colleagues in cabinet—there are two who back me up in my absence and in case of disqualification—either the Deputy Premier (Mr. Welch) or the Minister of Agriculture and Food (Mr. Henderson) would hear the appeal. They would be the ones who would have to determine any appeal that would come if I were to disqualify myself.

I have not yet reached the point where I am prepared to intervene so as to disqualify myself from discharging my responsibilities under the act.

Mr. Hodgson: Mr. Speaker, as the report of the assessment board is already out is it possible those concerned people in the Stouffville area could get a copy of the recommendation the board has made to the director?

Second, would it be possible, since the review board has made its recommendation to the director, to hold off a director's decision until such time as the minister has an opportunity to

review and amend the legislation so the concerned people there would have a chance to appeal it?

Hon. Mr. Norton: Mr. Speaker, I wrote it down this time so that I would not forget.

As far as the copy of the recommendation of the report is concerned, certainly that should be available. In fact, anyone who was a party to the hearings ought to have already received a copy. If there are individuals who have not, we will certainly make sure they get copies if they would contact my office and indicate the address to which they would like them sent.

With regard to holding off the director's decision, that is certainly an undertaking I would not at this point be prepared to give. The possibility of having any amendment brought before the House in the time remaining during this session is rather remote and that would mean delaying the decision until some time in the spring session. It is altogether possible the director's decision might be one the citizens of Whitchurch-Stouffville might welcome. I am sure if that were the case they would not want to wait that long.

TOMATO CANNING INDUSTRY

Mr. MacDonald: Mr. Speaker, I have a question of the Minister of Agriculture and Food. The government during the election campaign last spring pointed with pride to the fact that it had made a grant of \$250,000 to the Southland Canning Company to open a tomato paste processing establishment. That company has now gone bankrupt and that \$250,000 of public funds is down the drain.

The minister will also recall that during his estimates, the member for Haldimand-Norfolk (Mr. G. I. Miller) asked whether or not it would be possible to build a small tomato paste factory in his area in order to encourage further growth of tomatoes. The reply to that question, to be found on page R-160 of the Hansard record, was given by the deputy minister.

2:50 p.m.

I quote exactly: "Without checking with the minister I am going to answer that one." One can see who is in the saddle in that ministry. He continued: "To be very frank, there are multinational companies that control this business. To make something reasonable happen in this province, you have to get them all in a room and knock their heads together. The suggestion that you will get some big improvement in this province in that kind of product by some small

plants in some small places is attractive but it ain't going to make much of a dent. You need a big guy. It could be a co-op. I suggested to some of the companies that came in that maybe we should get a god-damned provincial co-op and do it ourselves."

Since the minister's one effort at building the tomato paste factory has gone down the drain along with \$250,000, is it the ministry's intention to proceed with a co-op, god-damned or otherwise, in order to fulfill the government's election promise?

Hon. Mr. Henderson: I am sure we all regret one company has had financial problems. My staff are working with the trustee to see what payments can be made and what security there can be for our money. The owner of that company was in ill health and that, plus the tomato crop this year, created problems.

In answer to the final part of the honourable member's question, under our Board of Industrial Leadership and Development program we have been in dialogue with different companies which are considering getting involved in this industry.

Mr. MacDonald: I am curious to know whether a co-op is going to be involved and the United Co-operatives of Ontario and the co-op movement would be interested whether that was flying a kite or a realistic effort. Since he is now engaged at long last in long-term planning for the agricultural industry, is there any indication from the minister as to when he might have some detailed plans for rebuilding the food processing industry or is this going to drag on for months and into years?

Hon. Mr. Henderson: I hope there will be some quick announcements, maybe within a month. We have been in dialogue with several companies. The member asked if it will drag on for years. Yes, I hope we will continue making grants into the future and helping out.

Mr. Mancini: A supplementary question, Mr. Speaker: I have been in touch with the senior officials of his ministry. I had a chance to speak with his deputy minister when I was informed he had met with some of the financiers involved in Southland Canning, in particular the banks. At the time this information was provided to me last week it appeared this company might be saved.

Could the Minister of Agriculture and Food inform me why his senior officials had such an optimistic outlook for the future of this company a few days ago, whereas we are now told

the company has gone bankrupt? Why has he allowed the banks to force this company into bankruptcy when it appeared to his own officials that the company could be saved?

Hon. Mr. Henderson: Mr. Speaker, the honourable member knows full well the banks were the ones that put the company in receivership, not our ministry. He knew that before he ever called my officials. I expect my officials told him the trustees handling it are still in the process of evaluating what money is there and what the debts are. That is what I told the member for York South. The member for Essex South did not listen to my answer.

Mr. Mancini: A point of privilege, Mr. Speaker: It appears the member for York South has said in the House that the company has gone bankrupt. That is a very serious matter indeed. It appears to me from the minister's reply to my question he said the company is in receivership, which is quite different from being bankrupt. I would like the record to be clear. I would like a clear statement from the Minister of Agriculture and Food as to whether the company is bankrupt, as was said by the member for York South, or whether it is still in receivership, as was said by the minister.

Hon. Mr. Henderson: I am not sure how much difference there is between the two. The member apparently is a lawyer who understands this. My information is that the bank put the company into receivership. It is now in the hands of trustees. If that is different from bankruptcy then—

Mr. Mancini: That is a lot different from being bankrupt and you know it and so should the member for York South know that. A sleazy question.

Mr. Speaker: Order.

TOW-TRUCK OPERATORS

Mr. Elston: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations about the exposé in the Toronto Star this Monday concerning tow-truck operators. As the minister has no doubt read, the story claims Metro Toronto tow-truck operators and body shops are ripping off drivers to the tune of about \$5 million per year.

In addition, I wonder if the minister knows that tow-truck operators get about a 10 per cent kickback on the cost of repairs from body shops? These kickbacks are financed by inflating the actual prices paid for repairs, which cost is then passed on to insurance companies.

Could the minister indicate to us whether this problem, which was identified by this reported story in the Star, has been turned up by the investigators in the business practices division of his ministry? If not, why not? As a result, what is the minister going to do about this problem?

Hon. Mr. Walker: I do not have the answer to that question but I will try to provide it later this week.

Mr. Elston: Supplementary, Mr. Speaker. I wonder if the minister would also comment on whether or not his investigators had an opportunity to listen to many police officers who have openly said they are aware of this problem. If they have spoken to those officers, why have steps not been taken by the ministry to inform the public about this practice that has been going on in Metro?

Hon. Mr. Walker: The same answer applies.

Mr. Philip: Supplementary, Mr. Speaker. In his investigation, I wonder if the minister would inquire into the whole problem of the regulation of this industry and find out why the Minister of Transportation and Communications (Mr. Snow) has refused to take the action that was necessary years ago to put tow trucks under the Public Commercial Vehicles Act? This would not have happened in the first place if the government had done what our party has been suggesting for years.

Hon. Mr. Walker: That is something we will take into account.

GM SETTLEMENTS

Mr. Swart: My question is also to the Minister of Consumer and Commercial Relations. The minister's predecessor who sits to his right stated in this House 18 months ago that he was, "...hopeful of giving a very pleasant announcement within a couple of weeks for owners of Oldsmobile cars that had Chevrolet motors installed in them." After these 18 intervening months, has the minister resolved the problem left to him by the former minister? Is he about ready to make a very pleasant announcement to those owners?

Hon. Mr. Walker: If the member is talking about the Chevmobile problem, the situation still remains the same. General Motors is asking for special protection and we are not prepared to grant that. Because we will not grant them special protection against ultimately being prosecuted, because we want to treat them in the same way as we treat any other person who has been involved in this kind of unsatisfactory approach, they are not prepared to pay.

Mr. Swart: Supplementary, Mr. Speaker. Is the minister not aware that 46 states in the United States and six other provinces in Canada have reached an agreement with General Motors so that owners could get at least \$200? Is he not aware the issue is now at least four years old and many owners have sold their cars? In fact, many of them may be dead. Does the minister not think it is about time he got a settlement for the people in this province or is he, on behalf of General Motors, just going to let it fade away?

Hon. Mr. Walker: My understanding is they signed away the right in the other states and the company was given immunity in those cases.

Mr. Swart: At least they got something for it.

Hon. Mr. Walker: Our view is that General Motors does not deserve immunity to prosecution in this case and we are not prepared to grant that even if we could. We insist they be treated like any other citizen of this province.

3 p.m.

Mr. Smith: Final supplementary, Mr. Speaker: Does the minister not realize that while he is being very tough and taking this hard line with General Motors, he is leaving the ordinary citizen out there not only without protection but with no alternative but to try to sue General Motors? His ministry, in fact, told a very impoverished working person in Hamilton to go and sue General Motors, of all things, to try to get his \$200 or \$300, because he had a Chev engine in an Oldsmobile car. It is all very well to be tough with General Motors, but the only people suffering at the moment are the people who are stuck with the cars.

Hon. Mr. Walker: Mr. Speaker, we recognize what the member is saying and that continues to be a pressure on us, as well as a pressure on General Motors, I am sure. But the fact is the company is insisting on special treatment and we are not prepared to grant it special immunity treatment.

GAS FURNACE VALVES

Mr. Ruston: Mr. Speaker, in the minister's reply last Friday to my question of November 17, he said he felt the electronically operated vent dampers could be dangerous if there were a power failure. Will the minister tell me what objection his ministry would have against thermally actuated automatic vent dampers with a

sensor unit for safety backup that would cut off the gas in emergencies? I have one of them here, Mr. Speaker.

Hon. Mr. Walker: What is the name of the one the member has there?

Mr. Ruston: Energy saving and thermally actuated automatic vent damper.

Hon. Mr. Walker: I think that is the one we have also been looking at. The problem here is knowing what will and will not cause death. Our biggest concern is really the backup of the fumes. The thermally operated one sits in a closed position at all times except when the heat is on and the fins expand to permit the exhaust of the gas fumes, but if, for some reason, the vents stay closed that creates a real problem—

Mr. Ruston: It cuts the gas off.

Hon. Mr. Walker: Yes, I know. We have no difficulty with the ones installed by the companies that make them on furnaces in plants. It is the retrofit problem. No province in Canada has been able to overcome the retrofit problem. The fear always is that some kind of death may occur from the buildup of the fumes. In his encouragement of this kind of appliance prior to the testing being satisfactory to our requirements, if in the pursuit of this the member is prepared to give a warranty that if someone dies he will stand up and take some responsibility for it, that might provide us with a persuasive argument. But at the moment we have not been able to find people prepared to do that.

Mr. Ruston: Supplementary, Mr. Speaker: Can the minister prove his ministry has actually tested these units or units similar to this? I do not mean this one in particular. Naturally, I am not promoting any one. I am just saying we are losing 20 per cent of our heat on furnaces by not having something similar on them. Will the minister give permission for me to try one out in my house? I do not intend to have a by-election in the near future.

Hon. Mr. Walker: The member may not attend the by-election, but we may. We may well take advantage of that opportunity. This is an offer we cannot refuse, perhaps.

It is a very serious problem. The member mentioned the saving of 20 per cent. That 20 per cent does not seem to hold up according to our reviews of the matter. The best that can be achieved is three to five per cent. The 20 per cent figure was achieved in Michigan, where they had especially large chimneys that allowed for an exhaust of an amazing amount of heat and they were able to cut that down by 20 per cent.

But in Ontario we do not have just such a chimney and the 20 per cent figure would not be achieved. All we are saying is, if we can be satisfied the public will be safe in the use of those then by all means we are prepared to encourage their use. But we do not have satisfactory proof. As I mentioned on Friday I will share additional information with the member that will give him the benefit of the technical expertise we have to show that just at the moment it does not measure up and the proof is not there that people will be 100 per cent safe.

We cannot afford to have deaths occurring in this province as a result of a malfunctioning of one of those types of units. The fact that they have not been approved in any part of Canada is testimony to what we are doing in this province.

TAX GRANTS FOR SENIORS

Mr. Van Horne: On a point of personal privilege, Mr. Speaker: As long ago as October 30 and again on November 5, the Minister of Revenue (Mr. Ashe) went into great detail, and apparently experienced great pain, in telling us that his program of sales tax and property tax rebates to seniors was working 99.9 efficiently.

I would like to make the point that those of us who apparently have all of the 0.1 per cent of the unresolved cases have a difficult time explaining to our constituents why they are not getting any action from that ministry. I would like to pass on to him 19 client inquiry forms received in my office within two days, and I would also like to point out that calls from my office and from the homes of these various clients elicited such responses as, "We cannot help you. You had better call Van Horne," or "I am sorry, we lost two tape discs so we do not know where your file information might be."

The seniors who are waiting for this money—many of them waiting for it for Christmas—want to hear something more than platitudes in this House. They want some action. That is my point of privilege, and I would like a straight answer.

Mr. MacDonald: On the same point, Mr. Speaker, the honourable member has indicated the number he had in two days. I have drawn to the attention of the minister that I have had 60 in the last 10 or so days in my constituency office. Surely something has to be done other than the idle promise—because I suspect it is going to be idle—that these cheques will be out by Christmas time.

Mr. McKessock: On the same point, Mr. Speaker, one of the minister's civil servants said

to my constituency secretary this morning that the MPPs were at fault for all these problems. I wonder what he means by that, unless it is because we passed the legislation.

Mr. Swart: On the same point of privilege, although I have another one to ask afterwards, Mr. Speaker, perhaps you would look into the matter of whether the minister misled the House by saying everything was fine with regard to these payments, because the auditor's report, which came out yesterday, condemns his ministry in unequivocal terms for the handling of the senior citizens' grants.

Mr. Mackenzie: Also on the same point, Mr. Speaker, I think there is a hardship being worked on a number of older people, and almost half the calls coming into my constituency office right up to this point in time are from people who have not got the rebate. Certainly something has to be done with this incompetent minister.

Mr. Speaker: Order. I think the point has been well made. We are all facing the same problem. The minister is going to respond.

Mr. Smith: Did you hear that? The Speaker has the same problem.

Mr. Speaker: Will the members let the minister respond, please?

Mr. Riddell: And all for the sake of the Premier signing his name on those cheques. That's just a crime.

Mr. Speaker: The member for Huron-Middlesex made his point.

Mr. Swart: The minister is no Santa Claus, he's a Scrooge.

Hon. Mr. Ashe: Mr. Speaker, I do not mind being referred to by some of the members opposite as being Scrooge, because it needs somebody to look after taxpayers' money on occasion in that fashion.

3:10 p.m.

On the point of whatever, for those honourable members who were here last week during the ministry's estimates, this subject received a great amount of coverage, along with questions during question period over the last six weeks or so. I would suggest if people look back on the record they will find I have acknowledged that there have been some difficulties. I do not think there is any doubt about that at all. There are many reasons why there have been some problems.

Some of them, frankly, are our own, and I have acknowledged that. Some are just because

of the client group we are dealing with, and the base lists we are dealing with that have a tendency to change on a very regular basis; frankly, daily. The numbers involved as far as the auditor's report is concerned, if the member would make himself aware in case he is not already, referred to the 1980-81 program. In fact, many of the difficulties referred to by the auditor in that program have been overcome.

I would go so far as to acknowledge that overcoming some of the problems from last year caused some new ones. There is no doubt about it. We are overcoming those. By next year, when we have the new capabilities within our new location, there is no doubt whatsoever that we can deal with many of the problems more effectively.

In the meantime, being more specific, if the honourable members want to hear some specific numbers—

Hon. Mr. Davis: How did the member for Owen Sound enjoy his trip to the Gong Show?

Hon. Mr. Ashe: He is still on it.

Mr. Speaker, 10,000 cheques were sent out last Friday, and on Thursday and Friday of this week there will be approximately 32,000 additional cheques going out, the bulk of the balance that were in before December 1.

Let me also point out we are still receiving between 1,200 and 1,400 new applications each and every week. Those who expect to send their application today and receive their cheque tomorrow will not receive it. But the bulk of the people—not all, but the bulk—will have their cheques before Christmas.

WINTARIO GRANTS

Mr. Yakabuski: Mr. Speaker, I rise on a point of personal privilege. Yesterday and today the Minister of Culture and Recreation (Mr. Baetz) was asked if he had provided me with advance information re Wintario grants. I am rising at this time to state most emphatically that the minister did not.

Mr. O'Neil: On the same point, Mr. Speaker, possibly the minister might have a statement on that particular matter. He seems to have been looking over my way and rubbing his fingers towards me as if he is going to try to fix me, so maybe we should hear his comments on this particular matter and then I will have a chance to say a word after he is finished.

Mr. Speaker: The minister has nothing more to say than he said yesterday.

An hon. member: Oh yes he has.

Hon. Mr. Baetz: Mr. Speaker, I just want to say that tomorrow at two o'clock I will be making my statement and the members will have the information.

Mr. Eakins: On the same point of privilege, Mr. Speaker, the minister indicated in the House yesterday that he himself did not know because it was in the computer. Can he tell us how the member for Renfrew South had printed last week in the paper, the Eganville Leader, I believe—

Mr. Speaker: Order.

BACKGROUND

Mr. Swart: Mr. Speaker, my point of privilege pertains to the government publication put out under the name of Background by the Ministry of Municipal Affairs and Housing, at public expense, of course. It lists numbers of bills that have been before the House, most of them government bills. In the listing, it states they are government bills and gives the name of the minister. There was a private member's bill listed, Bill 153, and it does not give the name of the member who introduced that bill. I happen to be that member and I was dealing with a very important item.

I would ask that you investigate whether it is not appropriate, when a publication is put out at public expense by the government, that it should give the same rights to the opposition members when bills are mentioned as it gives to the government members, and not directly try to glorify the government.

TAX GRANTS FOR SENIORS

Mr. Boudria: Mr. Speaker, on a point of privilege which relates indirectly to the first point of privilege raised this afternoon, but only indirectly, it is a new point of privilege: We all know the time of constituency assistants in the last month or so has been almost entirely devoted to administering the government senior citizens' grants program. I would like you, Mr. Speaker, to find out whether it is the function of members—

Mr. Speaker: Order. That is not a point of privilege, nor is it the duty or responsibility of the Speaker to inquire about anything. If you have questions, the proper time to put them is to the minister during question period.

Mr. Boudria: Mr. Speaker, we all know that the time—

Mr. Speaker: You very specifically asked me as Speaker. It is not a point of privilege, with all respect.

Mr. Boudria: It is about the constituency offices, for which you are responsible.

Mr. Speaker: You can talk to me about it in the office then.

INTRODUCTION OF BILLS

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Bennett moved, seconded by Hon. Mrs. Birch, first reading of Bill 188, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to.

TORONTO STOCK EXCHANGE ACT

Hon. Mr. Walker moved, seconded by Hon. Mr. Gregory, first reading of Bill 189, An Act to revise the Toronto Stock Exchange Act.

Motion agreed to.

Hon. Mr. Walker: Mr. Speaker, may I take a moment on the introduction of this bill and refer my comments to the bill to follow as well, since the same comments apply to both; they are to a large extent interrelated. In a moment, I shall be introducing a bill entitled An Act to incorporate the Toronto Futures Exchange. Last June, I announced that the Ontario Securities Commission, in co-operation with the Toronto Stock Exchange, had developed legislation that revised the Toronto Stock Exchange Act and incorporated the Toronto Futures Exchange Act.

3:20 p.m.

These two draft bills were then tabled here to give my honourable colleagues an opportunity to comment on the contents before the bills were finalized and presented to the House for introduction. We felt it was important to circulate these bills widely to allow as much participation and analysis as possible by all the interested parties.

To that end, the bills were also circulated this summer by the Ontario Securities Commission. They published the bills in their weekly bulletin and invited comments from lawyers and others who are specialists in the securities field.

Having had the benefit of this wide circulation, I am now pleased to introduce for first reading the Toronto Stock Exchange Act 1981 and the Toronto Futures Exchange Act 1981. As the House will recall, the Toronto Stock Exchange Act is intended to replace an act passed by the Legislature in 1968.

Since the original Toronto Stock Exchange Act came into force, there have been many developments in corporate and securities legislation which were not reflected in the act. I do not hesitate to say that the original act needs updating and I am confident the bill before the House today will help bring the act in step with the needs and realities of the 1980s.

The bill for the Toronto Futures Exchange Act that I will introduce in a moment creates a commodities futures exchange pursuant to statutory provisions similar to the Toronto Stock Exchange Act 1981. The board of governors of the Toronto futures exchange will consist of 11 members; five will be elected by members of the futures exchange, three will be elected by the TSE, two will be public directors and one will be president.

Under the new act, the board of governors will have the authority to pass bylaws and will have the power to discipline its members or to delegate its disciplinary power to a committee established by the board. The act provides that the futures exchange may hold property without the limitations contained in the Corporations Act, and will allow meetings of the board and its committees to be held by conference telephone, electronic or other communication facilities.

The act also confirms that the futures exchange will be subject to the control of the Ontario Securities Commission and provisions of the Commodity Futures Act, 1978.

TORONTO FUTURES EXCHANGE ACT

Hon. Mr. Walker moved, seconded by Hon. Mr. Gregory, first reading of Bill 190, An Act to incorporate the Toronto Futures Exchange.

Motion agreed to.

PROVINCIAL AUDITOR'S REPORT

Hon. Mr. Walker: Mr. Speaker, before the orders of the day, I wonder if I might rise on a point of clarification: In question period, a question was posed to me by the member for St. Catharines (Mr. Bradley) concerning the date on which certain information was brought to the attention of the Provincial Auditor. I gave the date of October 19, 1981, which was what I thought it was at the time. I have since had the information corrected or reverified. In fact, that is the wrong date. The date should probably have been about a year and a quarter earlier.

The member for Scarborough Centre (Mr. Drea), who saw that the information was brought to the attention of the Provincial Auditor, did so in mid-1980. That would put it back somewhere

around the beginning of summer 1980, when it was first brought to the attention of the Provincial Auditor on the basis of information that had been brought to the attention of the minister at the time, the member for Scarborough Centre. I correct the record to that effect.

ANSWER TO QUESTION ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I wish to table the answer to question 262 standing on the Notice Paper. (See Hansard for Friday, December 11).

ORDERS OF THE DAY

MILK AMENDMENT ACT

Hon. Mr. Henderson moved second reading of Bill 136, An Act to amend the Milk Act.

Hon. Mr. Henderson: Mr. Speaker, the main purpose of this bill is to permit the Ontario Milk Marketing Board to continue to operate the existing two pools for the distribution proceeds from milk sales now that all milk is required to meet one quality standard. The Ontario Milk Marketing Board and my ministry have been working with producers towards the one quality standard of milk for several years. The first major step in this direction was completion of can delivery to bulk delivery in 1977.

Next, the same standards for bacterial content were fixed in February 1980. Penalty levels were equalized in September 1980. Finally, premise requirements were standardized September 1, 1981. The advantages of a one-quality system are twofold. The Ontario Milk Marketing Board may proceed to rationalize its transportation system as it is no longer necessary to segregate milk supplies to industrial plants. This will effect savings in transportation costs for producers. The quality of milk products will be improved as a result of the higher quality of milk used in their manufacture.

The changeover to a one-quality standard makes it necessary to amend the basis on which the Ontario Milk Marketing Board conducts its pool for distribution proceeds to producers. The basis for distribution was set out in my statement when we introduced this bill on October 13, 1981. In effect, the board will continue to take into account the amount and kind of quota held by a producer and the sales for the board of the various classes of milk. This amendment was requested by the Ontario Milk

Marketing Board to enable it to carry on with the twofold system that has been in place for a number of years.

The other changes made by the bill are complementary to the main purpose of the bill.

Mr. Riddell: Mr. Speaker, we are definitely going to support this bill. The real purpose is to reduce transportation costs now that quality standards have been finalized and all farmers must comply with the same quality milk, the same standards. There is really no reason now why we have to have one truck to pick up industrial milk and another truck to pick up fluid milk. In order to reduce those transportation costs we are able now, through this amendment, to have one truck pick up the milk, whether it be quota one milk or quota two milk, en route to the plant.

I guess the legal people of the Ontario Milk Marketing Board felt there had to be some clarification within the bill as to how producers were going to be paid for the milk, now that the milk would be picked up by the same truck. That is really what this amendment is all about.

As I was going through the two bills, I noticed that section 20(37) of the old bill states, "providing for the establishment and the manner of payment of price differentials for milk fat in milk or any class thereof." That has been changed now to, "providing for the establishment and the manner of payment of price differentials in relation to the content of milk or any class thereof."

Are milk producers still paid on the basis of milk fat, or was the reason this change was incorporated because down the road we are perhaps looking at some other means of paying producers, rather than on the milk fat basis?

I am just wondering why that change has been made, why has the "milk fat" been taken out and "contents" put in its place? I know there has been some thought of paying producers on the basis of, how did they word it? It was not "proteins, not fat"—

Mr. Watson: Solids, not fat.

Mr. Riddell: "Solids, not fat," that is right. Thank you. Is that preparing the way for this kind of payment to be made? Is that the reason we see the change being made in this bill in this connection?

Hon. Mr. Henderson: Mr. Speaker, I might answer the honourable member—

Mr. Stokes: Just a minute.

Mr. MacDonald: Mr. Speaker, we will support this bill. It represents, in general terms, an

updating and a rationalization of the procedures by which the board has been operating because of changes that have taken place in the industry.

3:30 p.m.

It saves money and, hopefully, that will increase the returns to the producer. It was sought by the milk marketing board. As far as I know, it is supported by the producers and I know of no other interested body which has voiced any objection. Without going into any further detail, other than the question that has been asked by the member for Huron-Middlesex, I reiterate, we will support it.

Hon. Mr. Henderson: Mr. Speaker, in answer to the member for Huron-Middlesex, I am not aware of those plans. I am aware of what Mr. Watson has referred to, but the main purpose of the bill is that we pay the farmers on the basis of fluid milk and industrial milk. In view of the fact that it was now going to come in one load and we did not know where it would go, the milk marketing board was concerned that it might cause some problems.

Mr. Haggerty: Not the same price though.

Hon. Mr. Henderson: No, not at the same price. The members all understand that quite well. As far as the question from the member of Huron-Middlesex, I am not aware of any changes. As far as the board and I are concerned, any discussions we have had are still based on the butter fat.

Mr. Riddell: It is just that "milk fat" has been taken out of the bill.

Hon. Mr. Henderson: Yes, I realize that now. Motion agreed to.

Ordered for third reading.

PERSONAL PROPERTY SECURITY AMENDMENT ACT

Mr. Mitchell, on behalf of Hon. Mr. Walker, moved second reading of Bill 163, An Act to amend the Personal Property Security Act.

Mr. Mitchell: Mr. Speaker, I do not intend to go into a lengthy opening statement. We have had discussions with the members opposite. My understanding is they will be supporting the bill.

However, I must give notice that there is an amendment to be made which will have to be made in committee of the whole House and I will have the amendments sent over to the members opposite.

Mr. Bradley: Mr. Speaker, we did indicate in a discussion with the minister earlier today that we would proceed with this particular bill

because a previous bill dealing with caisses populaires and credit unions, which was going to be dealt with in the House in its second stage, was going to be postponed because of representations that have been made from the credit unions.

On that basis we were prepared to agree to that and I believe the minister approached both the opposition parties with that earlier this afternoon.

Very briefly, I am speaking in favour of this bill. It is an administrative change. I should indicate at this time that some of the people who are involved in the legal profession within our caucus will have something to say about this bill.

We see it not just as a convenience to the legal profession, as some might characterize it, but certainly a convenience to those people it is about to serve. We feel it will provide more efficiency and I am assured by my learned friends within the legal profession that it has their approval, even though they feel that in some cases it is going to mean less work for them. Whether that is true or not is another matter.

I will indicate to you, Mr. Speaker, because I know that members from the third party will be speaking, that a couple of speakers from our party will have more detailed comments on this, although we consider it to be essentially a housekeeping type of bill.

Mr. Swart: Mr. Speaker, we are supporting this bill, too, and without any amendments, although I notice that the parliamentary assistant to the minister has just supplied me with an amendment that I have not yet had the opportunity to look at and assess. I would like to reserve any opinions on that until I have had the opportunity to do that.

This bill is pursuant to the one that was passed last spring, to make it clear that the Personal Property Security Act did not apply to real property because some rulings had been made in court that cast some doubt on the interpretation of the bill. It had to be redefined, and this bill does redefine it in a more comprehensive manner. As the member for St. Catharines said, it is largely a housekeeping bill to assure that the division between personal property and real property, as intended I would think in the original act, is fully implemented. For that reason, and to eliminate the confusion, we are supporting it.

I notice the act will not apply to mortgages but that it can apply to the income on mortgages; then it goes on to define other aspects more

clearly. There certainly is a fine line between the two. As a person who is not learned in the law, I feel that this bill does a better job of drawing that fine line. Subject to any reservations we may have on the amendment that is before us—I suspect that it may simply be for a further clarification, I do not know—we in this party are supporting this bill.

Mr. Elston: Mr. Speaker, I have just a couple of comments concerning this bill. A number of problems have arisen with the operation of this very interesting field. This bill will help us to eliminate one. I think there are others that must be looked at as well, at this time, or that at least become very visible to us at this time. Perhaps we should continue on with the amendment of the act under the provisions that are before us. We hope this will help to eliminate some of the very difficult problems that have arisen for the practitioners in the legal field when they look into the securities registered under the Personal Property Security Act.

It should be seen that this bill was passed a good number of years ago, and that difficulties arose with the computer programming and very many other things, which postponed its implementation for a long time. I think more particular attention should have been paid to some of these very basic problems that have since arisen and, it appears to some of us who have been taking part in the program under the Personal Property Security Act, should have been dealt with even before the act was properly implemented.

I think, however, that at this time we must congratulate the minister and his assistant for going ahead and trying to eliminate some of these problems. I would suggest that the continued monitoring of this bill is extremely important to eliminate those difficulties that have caused real problems for us. I must also mention that a considerable amount of time was spent in the estimates of the ministry concerning several other problems that have arisen under this program. I hope they will continue to deal with the problems that were pointed out to the minister in the estimates as well.

3:40 p.m.

Mr. Mitchell: I might just mention in closing off on this particular part of the reading that the Personal Property Security Act is somewhat in response to the honourable member opposite. We are expecting the complete rewrite, at least

in rough draft, by next spring, if all goes well. Perhaps we will have an opportunity to make sure the areas for mistakes are no longer there.

Motion agreed to.

Ordered for committee of the whole House.

CO-OPERATIVE CORPORATIONS AMENDMENT ACT

Mr. Mitchell, on behalf of Hon. Mr. Walker, moved second reading of Bill 176, An Act to amend the Co-operative Corporations Act.

Mr. Mitchell: The rationale behind this bill comes about due to questions raised by some honourable members, who are in the House today, through our ministry and through the Ministry of Agriculture and Food. Basically, the bill provides that in any conversion of a co-operative, 60 per cent of the membership, not 75 per cent of those present at a meeting and voting, must indicate their approval in writing. I think that is all I need to say at this point.

Mr. Nixon: I am very glad to speak in support of the bill and I congratulate the parliamentary assistant for putting it before the House, because it is a matter of great concern to the co-operative movement right across the province. I want to take a moment to remind the House that farmers' co-operatives go back many years indeed and were the basis upon which farmers decided they could move in their own best interests to do business on a broader scale, both in buying the materials they need for their operation and, in many instances, marketing their own products. Some of these co-operatives have been tremendously successful.

The one that triggered the amendment before us today is known as the Norfolk Co-operative Company Limited. It operates in my constituency and that of the member for Haldimand-Norfolk (Mr. G. I. Miller). It has been in existence since before 1920 and now has assets approaching \$50 million. Because of the provisions of the original statutes that allowed co-operatives to be established, the shares have a fixed value and had become very widely disseminated.

I am sure there are shares of co-operatives hanging around in old pigeon holes, safes and portfolios, and their owners are not aware they are members of these various co-operatives. Quite often, these shares have been passed on as an inheritance and, unless a farmer is operating in a local community, they are not of obvious value. However, by being a shareholder, farmers can take part in the business of the co-

operative and they get, and this is the correct use of the phrase, patronage dividends based on the amount of business they do with their own company.

As I said before, some of these co-operatives have been extremely successful, ramifying into all sorts of operations associated with the farming community. Just last night we were debating a bill that will require the distributors of diesel fuel to colour red the fuel upon which tax is not payable. One of the problems is that this same Norfolk co-operative has a large fuel distributing agency, which it claims will require \$1 million to convert to this new procedure that the government is imposing on it. I refer to that only to make the point that the co-operatives have become very large businesses indeed.

In the Norfolk area, a certain entrepreneur has had the brilliant idea that, with the acquiescence of a small number of the shareholders, he can convert this particular co-op—and following that, others—to an ordinary corporation. The officers of the corporation could then use the assets as they saw fit for the benefit of those more closely associated with the converted corporation. The reason that would be possible is that a meeting of the shareholders duly called can do business with approval by 60 or 75 per cent of those attending the meeting.

This amendment has removed that possibility. It has to do with a specific percentage of all the shareholders, whether they are attending the meeting or not. It still means the co-operative, being in charge of its own destiny, could make whatever changes it decided to make, but it would require a large percentage of the actual shareholders to accomplish this, not just a percentage of those attending a specific meeting.

In my view, it means the amendment will make it impossible to convert a co-operative the way this particular entrepreneur has had in mind and will make impossible the way he has been moving. There is nothing illegal about his actions whatsoever, but I certainly welcome most enthusiastically the amendment which will make that procedure almost impossible.

I raised this in the standing committee on resources development when we were discussing the estimates of the Ministry of Agriculture and Food on October 15. In response to what I said at that time the minister said:

"Let me answer you this way. Number one, this was brought to my attention a month or six weeks ago; you might even tell me that it was two months ago. Immediately, I sent the Minis-

ter of Consumer and Commercial Relations (Mr. Walker) a letter pointing out the problems. I have asked him to look into it. I am as concerned as you are.

"Mind you, and I say it quite openly, I am not sure that the United Co-operatives of Ontario is not doing a similar thing to what has happened here under the name of United Co-ops. You people think back and look at some of those co-ops that United Co-ops have taken over."

I was a little concerned at the time that he was less than enthusiastic in support of legislation that would protect the co-operatives. It indicated that United Co-ops had undertaken a takeover procedure that was perhaps the same type of procedure—nothing illegal, but just a bit greedy or extending their own powers a bit.

Many of us from the agricultural communities have a strong commitment to the concept of the co-operative movement. It is particularly successful now and is important when the cost has escalated so rapidly for materials that farmers must have to carry on production. Any way that can be taken, in particular through the co-operative movement, to reduce the cost by buying in bulk and returning at least part of the profits to the shareholders is something we should enthusiastically support.

I am glad both the minister and the parliamentary assistant think so too. I feel confident this amendment will accomplish what we are seeking. The only problem I have, and I do not believe it is a problem at this time, is that the bill before us goes into force when it is approved by the Lieutenant Governor in Council. I believe this could be accomplished within the next few days. I see the parliamentary assistant is nodding, and that is good enough for me.

I know there have been some indications in the Simcoe, Delhi, Norwich and Waterford areas, where the co-operative operates, that there is some movement towards the kind of meeting which under the previous rules might be convened legally and might permit control of the co-operative to be lost in the way that has been feared. My own judgement, however, is that such a meeting cannot now be called, and its decisions would be rendered null and void by the bill before us.

3:50 p.m.

I have been concerned about the delay in bringing forward the legislation, but the best information I have is that it is definitely on time. If the minister and the parliamentary assistant are getting other information, I think we could very well send this bill to committee and put a

different operative date forward with very little difficulty. I do not think there would be anything wrong at all in making the operative date the date on which the bill was introduced. There would then be no difficulty whatsoever about some meeting being slipped in within the next few days.

Mr. Swart: Mr. Speaker, on behalf of the New Democratic Party I rise to support the bill we have before us. I do that, of course, because it was the member for York South (Mr. MacDonald), along with others, who had been pushing for this kind of bill. In fact, he had raised the issue in the House and in various ways had promoted the initiation of this bill.

Mr. Nixon: Oh, come on, Mel; you don't know what you're talking about.

Mr. Swart: I know exactly what I am talking about. The member for York South, along with others, I said, played a major part in initiating and promoting the bill we have before us at the present time.

Mr. Nixon: Surely the aim of this is to protect the co-operatives and not to gather credit for the NDP. You were late on this one. Why don't you face it?

Mr. Swart: In addition, of course, the philosophical views of this party dictate that we should support this bill. There is no question that where the New Democratic Party has formed the government, whether in Saskatchewan or in British Columbia, it has supported co-operatives. In fact, the roots of the Co-operative Commonwealth Federation and the New Democratic Party are in the co-operative movement. Because this bill is to protect the very existence of co-operatives from takeovers by the private sector, we obviously will support this bill from that point of view.

There is no question that there was a real and immediate danger to the Norfolk Co-operative Company and probably a great deal of danger to many of the co-operatives throughout this province, particularly the farmers' co-operatives. If the private company that had been set up to take over this co-operative had been successful, it would just have been one of the dominoes that would probably have fallen to the private sector.

I suspect that in saying this I am underestimating the vigilance of many co-operative members, who likely would have rallied to see that this did not take place. But it is still possible that it could have taken place and that the co-operative could have been taken over by the

private sector, perhaps with a very small percentage—10 per cent or less—of the membership of that co-operative, which I understand is in the thousands, actually approving of the takeover.

I suspect the clause that is in the present act was initiated originally to protect the minority and majority interests of the co-operative members. According to that clause, 10 per cent of the membership can initiate a meeting, and at that meeting 75 per cent of the members who are there can pass resolutions and take actions that can normally be taken by the board of directors.

I assume it was put in the original act so that the board of directors could not subvert the will of the majority, or at least could not refuse to deal with the desires even of the minority. Putting that in meant—and this, I believe, is the first instance of it—that a minority of members could subvert the board of directors and, perhaps, a majority of the members. I think everyone in this House agrees—I would be surprised if anybody voted against this bill—that this is a very desirable move to protect the co-operative movement.

Perhaps when the parliamentary assistant to the minister rises to reply, he might like to make some comments with regard to the other requests that were made by the United Co-operatives of Ontario and the Norfolk Co-operative with regard to the 10 per cent limitation on dividends and interest that may be paid to the members. Also, prices are actually pegged to their par values, which, of course, as he would agree, puts the co-operatives at a very real disadvantage when, at the present time, they can only pay 10 per cent to the members for investments they may wish to make. That hurts the co-operative movement today.

I wonder if there is going to be a bill brought in, or legislation brought forward, or whether the government will in some manner deal with that very real problem facing the co-operative movement because of existing legislation and regulations. I was somewhat surprised that the member for Brant-Oxford-Norfolk did not mention that in his comments. Perhaps he has some knowledge that I do not have of what the government intends to do in this regard.

I do realize and recognize that the bill we have before us is to serve a very immediate problem, and that it is necessary. I am sure when the parliamentary assistant gets up he will be giving a commitment relative to the question that was put forward by the member for Brant-Oxford-Norfolk, and that I put forward,

that he expects this will be proclaimed, and will be proclaimed in the very near future, so there will be no delay and he will cut off this private entrepreneur at the pass before he gets into a position where he can do damage. I am sure the parliamentary assistant will be referring to that as well.

We in this party will unanimously support this bill, Mr. Speaker.

Mr. Bradley: Mr. Speaker, I would like briefly to indicate my support as the Ministry of Consumer and Commercial Relations critic for the Liberal Party. As well, I think the House leader for the Liberal Party has indicated in a very clear manner the need for this particular bill. I commend him for raising this matter at a time when it is becoming an immediate problem. I also endorse his call for having this enacted into law as soon as possible.

I think the key paragraph in the information provided by the ministry is the one that states the net result of the above, that is, that a conversion of a co-operative to a business corporation could be effected by as few as 10 per cent of the members requisitioning a meeting, and an even smaller proportion voting for the conversion at the meeting. To avoid what I would consider to be an abuse—some may say that is the way the democratic process works; you go out to the meetings and you get to make the decisions—and because this is such an important decision for a co-operative, I think it is incumbent upon, and wise of, the government to take this action, to provide for 60 per cent of the members of a co-operative to confirm in writing any resolution to convert the co-operative as I have described in the past.

With the rule regarding 75 per cent of those present, in theory we could have a takeover by a very small number of people present at one particular meeting. At other organizations we have seen examples of decisions being made by a very small group, decisions that were not for the benefit of the entire organization but for the benefit of those who decided to go out to a meeting, or who were able to go out to a meeting for a specific purpose. For this reason I feel it is appropriate that we enact this legislation. I hope it can be proclaimed at the very earliest moment.

4 p.m.

Mr. Riddell: Mr. Speaker, I have a few brief remarks. As a former president of a co-operative in my riding, I know how important the co-operative movement is, not only to

farmers but to others as well. A lot of urban people are now using a lot of these co-operatives.

It came as quite a surprise to me to learn that it was extremely easy for a group to take over a co-operative. I was approached shortly after problems were being encountered by the Norfolk Co-operative. I happened to attend a meeting called by the Minister of Agriculture and Food. I do not recall seeing the member for Welland-Thorold at that meeting. I could be wrong, but I do not believe he was there. I do believe the member for York South was at that meeting representing the third party.

It was at that meeting that we thoroughly discussed what we felt should be done to strengthen the legislation and to prevent the type of thing from happening that appeared would happen if the minister had not acted, and acted quickly. We certainly do appreciate the efforts of the minister and his parliamentary assistant in getting that bill in as quickly as they did. It was not very many weeks ago when we had that meeting in the minister's office.

I was at the Ontario Federation of Agriculture convention two weeks ago. I do not know whether he is a director of the Norfolk Co-operative, but a very highly regarded farmer in the area, a chap by the name of David Erwin, approached me and expressed the urgency and the immediacy of this amendment.

Mr. J. M. Johnson: A good Tory, too.

Mr. Nixon: That's all right. You used to be a good Liberal.

Mr. Riddell: I think maybe the member is right, although I am not too sure he is all that strong a Tory, or that he always votes Tory. I went to school with the chap. He continues to heap praise on the official opposition party for the excellent work they are doing in this Legislature—

Mr. Nixon: He thinks we have a good agriculture critic.

Mr. Riddell: He thinks he has a good member too.

Mr. J. M. Johnson: Nobody will disagree with that.

Mr. Riddell: However, that is digressing.

I was surprised to learn this group would endeavour to call a meeting someplace quite remote from where the co-operative is at present located, even if it meant taking a group of members into northern Ontario to hold a meeting, so it could then say it had 75 per cent of those at the meeting in favour of turning the

co-operative over to another type of organization or into a corporation. I never dreamed this could ever happen, but it did, and we now have an amendment to stop that.

We do render our wholehearted support. We do not want groups coming in and seeing an opportunity and trying to capitalize on it by taking over our good co-operatives, which have worked so hard in the best interests of farmers and a lot of the urban people as well.

Mr. Mitchell: Mr. Speaker, first in reply to the member for Brant-Oxford-Norfolk: My understanding is that there is not sufficient time for the organization to call a meeting. They require 21 days' notice. This bill will most certainly be completed by then.

With regard to the questions raised by the member for Welland-Thorold, I know the co-op has been in touch with the minister with regard to proposals on the possibility of removing the ceiling on dividends and of permitting share values to escalate. I would like to take his question and get back to the members as soon as I can and let them know exactly what the interaction has been.

Motion agreed to.

Ordered for third reading.

Mr. Mitchell: Mr. Speaker, I wonder if I have the permission of the House to move to the front row when dealing with the committee of the whole House?

Deputy Speaker: Right.

House in committee of the whole.

PERSONAL PROPERTY SECURITY AMENDMENT ACT

Consideration of Bill 163, An Act to amend the Personal Property Security Act.

Sections 1 and 2 agreed to.

On section 3:

Mr. Chairman: Mr. Mitchell, in the absence of Hon. Mr. Walker, moves that section 3 of the bill be struck out and the following substituted therefor:

"Sections 1 and 2 do not apply so as to affect rights that have been determined by a judgement or order of any court, given or made prior to the day this section comes into force."

Mr. Mitchell: Mr. Chairman, the bill as it stands has retroactive effects. However, there are two exceptions that purport not to affect the rights acquired by any person from a judgement or order of any court prior to the day the bill

comes into force. It also would exempt from retroactive effect any litigation commenced on or before September 1, 1981.

The ministry has received representations to the effect that the exemption provisions are too broad, and that the exemption should only be afforded to orders and judgements, not to litigation proceedings. Generally speaking, retroactive legislation is often objectionable on the basis that it is unfair in many circumstances. Persons govern their activities by rules; to change the rules after they have been relied upon is frequently offensive to our sense of justice. This is particularly true of penal and taxing statutes.

In some circumstances, however, it is unfair not to make legislation retroactive. This is true when many persons have governed their activities by what was generally assumed to be the law, and these assumptions proved to be incorrect.

In the situation under consideration it had been generally assumed there was no need to register certain documents in both the registry system and in the personal property security registration system. Therefore in our view the retroactive effect of the legislation should be as broad as possible. The proposed amendment accomplishes that objective.

Mr. Swart: Mr. Chairman, I would just ask the minister if he would comment a little further on that when he states it will be as broad as possible. My reading of the amendment limits it somewhat to what the original section did, in that then it would have applied to any action that had been started before September 1, 1981. Now it applies only to where a judgement has been made. I am not necessarily disputing the wisdom of this, but I would like to know a little more about the reason for the change. It is a fairly substantial change although I suspect it is a legalistic change and done for that reason. I wonder if the parliamentary assistant would explain it a little further.

4:10 p.m.

Mr. Mitchell: Mr. Speaker, this is my understanding. I must admit I was faced with this amendment at the last moment. The removal of this date affects only judgements or orders. That is the only area it affects, as I understand it. I stand to be corrected.

Mr. Chairman: Does that clarify the issue for the member from Welland-Thorold? We will give you a moment to digest the comments of the parliamentary assistant.

Mr. Swart: I'm really having some difficulty in understanding this, Mr. Chairman. It seems to me the original section 3 reads: "Sections 1 and 2 do not apply so as to affect the rights acquired by any persons from a judgement or order of any court prior to the day this act comes into force," which is also the new amendment. But then the old section goes on, "or affect the outcome of any litigation commenced on or before the first day of September, 1981."

My understanding is that might be continuing litigation at this time and on into the future. Unless I am incorrect, this is at variance with what the parliamentary assistant just told us. Perhaps he would explain again why that last phrase was dropped, so that now it really only affects where an order or judgement has been made.

Mr. Mitchell: I am having our legal people provide me with a bit more backup information. But I quite honestly admit to the honourable member I was provided with this only within the last 20 or 25 minutes. Perhaps I should have had a copy of the statement prepared for you as well—for that I apologize. But in there we acknowledge that retroactive legislation is often objectionable. But in this situation we felt that date should not be there. Section 7(2) makes the act retroactive. Section 3 limits the period of retroactivity. We dropped the phrase "reduce the limitation of the retroactivity" and that is given to me as a legal opinion.

Mr. Chairman: Any further discussion on the proposed amendment? The parliamentary assistant to the Minister of Consumer and Commercial Relations has moved an amendment to section 3 of Bill 163, An Act to amend the Personal Property Security Act.

All in favour of the amendment please say "aye."

All those against please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Section 3 of the bill, as amended, agreed to.

Sections 4 to 8, inclusive, agreed to.

Preamble agreed to.

Bill 163, as amended, reported.

On motion by Mr. Cureatz, the committee of the whole House reported one bill with amendments.

BARRIE-INNISFIL ANNEXATION ACT

Mr. Rotenberg, on behalf of Hon. Mr. Ben-

nett, moved second reading of Bill 156, An Act respecting the City of Barrie and the Township of Innisfil.

Mr. Rotenberg: Mr. Speaker, when this bill was introduced for first reading on October 29 it was pointed out further consideration of the bill would be deferred until the agreement between the negotiators from the city of Barrie and the township of Innisfil had been ratified by those councils.

I am pleased to report to the House that ratification took place on November 25. Public meetings were held to acquaint the residents of the municipalities with the recommendations and hear their input before councils made their final decisions.

In the Barrie-Innisfil case, we have the second example of intermunicipal negotiations conducted under provincial auspices which have led to solutions of long-standing and complex boundary disputes. The success in the Barrie area strengthens our faith in the new process which was first successfully tested in a pilot project in the Brant-Brantford area.

This bill annexes 8,600 acres of the township of Innisfil to the city of Barrie on January 1, 1982. An additional 700 acres will be annexed to the city on January 1, 1987.

The bill also provides for the creation of an area on the southerly and easterly edges of the new city boundary which will be restricted to agriculture and mineral resource extraction and related uses compatible with agriculture and mineral resource extraction. By designating this area in the manner described, the municipalities hope to curtail urban sprawl and break the cycle of fringe development just beyond the city boundary which leads to further annexation, further fringe development and so on in a vicious circle.

I would note this area is already agricultural and therefore there is no down-zoning in this area. However, to be fair, the area will be frozen and some of the rights of property owners will be taken away from them.

Another feature of this legislation provides for a moratorium on contested annexations for the next 30 years, except for the area within the zone restricted to agriculture and mineral resource extraction west of the line between lots 11 and 12. The city may apply to annex in this area after 15 years.

The legislation also covers zoning in the area next to the city on January 1, 1982. The township zoning bylaw is deemed to be in effect in the annexed area until the new zoning bylaw

is brought forward by the city of Barrie. The bill provides for a mechanism to phase in the tax changes for township residents who become part of the city on the effective date of annexation. Moreover, it provides lower rates of taxation for areas that do not receive the full city services.

The legislation provides a mechanism to redivide the city into wards which takes into consideration the annexed lands. The bill also validates the agreement between the city and the township on numerous matters which were part of the package on boundary related issues which were resolved by the negotiations.

At the specific request of the council of the township of Innisfil, this bill includes a provision that the Public Utility Commission will be dissolved on January 1, 1982, and its assets and liabilities vested in the township. I would point out the Public Utility Commission of Innisfil deals with the water.

I would like to commend this bill to the House because I think it really forms a new beginning in intermunicipal relationships between the city of Barrie and the township of Innisfil.

I and the opposition critics received a letter from a lawyer for one property owner who will be in what is called the frozen area, indicating they wished to have their client's contention that it should not be frozen, heard before a committee of this Legislature. For that reason, after second reading I would ask this matter be referred to the standing committee on general government for a hearing which, if the House concurs, will be scheduled for next Wednesday morning. I hope the bill will be back the day after for further consideration.

4:20 p.m.

There are also four amendments I distributed to the opposition critics only a few minutes ago because I just received them myself from Legislative counsel. They are basically for clarification. These amendments will be dealt with next week at the committee, but I will just highlight the purpose of the amendments.

The amendment to section 4 not only makes it plain that in the frozen area the township of Innisfil must have an official plan in accordance with the agreement but also removes from any property owner the right to appeal a lack of change in official plan to the minister. So the freeze applies not only to the township but to property owners as well.

We are adding in section 6 a "notwithstanding" clause simply because there may be matters that are implicit in the agreement but not

explicit in the agreement—such things as service areas and so on. So the minister can issue an order for levies and the imposition of special tax rates where the agreement is not totally clear. If the township and the city wish to implement something in the agreement that is not specific in the agreement the minister may do it by order.

At the request of the township of Innisfil we are adding a clarification to section 9 which simply says the city and township are authorized to implement the agreement. The township had originally asked that the total agreement be put in legislation, but we felt, and they agreed, that the agreement is not in a form that would be appropriate as part of the bill, so we are simply making this addition at their request.

I indicated these amendments are not for discussion today. I simply wanted to give a brief explanation so the opposition members would understand why they are here. We will discuss them more fully when we are in committee.

Mr. Speaker, I would commend this bill to the House for second reading, and, as I indicated, when it receives second reading I will refer it to the standing committee on general government.

Mr. Epp: Mr. Speaker, I am pleased to indicate at this point that our party will be supporting the bill with certain reservations. I am glad the parliamentary assistant has indicated the bill will be going to committee because of the letters he and I and the critic for the New Democratic Party have received on this matter.

As the parliamentary assistant has indicated, this is a very important piece of legislation as far as Barrie and Innisfil are concerned. As Mr. Rusty Russell has indicated in the *Municipal World* of September 1981, there was a real shootout in Barrie and Innisfil a few years ago when the two municipalities could not agree that Innisfil should almost be emasculated and much of its area taken away by the city of Barrie. The city at that time wanted several thousand acres, and through this agreement they were going to end up with somewhere in the neighbourhood of 8,600 acres, I think, over a period of six years.

The interesting thing about these negotiations is that they follow hearings before the Ontario Municipal Board and appeals to various courts that took several years and cost in the neighbourhood of \$1 million and, I am told, probably \$150,000 above that \$1 million. So it is not \$1 million more or less; it is \$1 million and more. We find this is no way to deal with

annexation problems in this province or anywhere, because it just means those municipalities which have a lot of financial resources at hand are probably able to win out in the final analysis as opposed to those that do not.

The interesting thing about the hearings that went on in Barrie was the action of the then Treasurer of Ontario, who decided that maybe the people at the Ontario Municipal Board and the lawyers there were not very clear on what government policy was. At that time it was projected that the—

I see the member for Sarnia (Mr. Brandt) is raising his head. He is very interested in what the government policy was at that time. I suppose that as the member for Sarnia he would be very interested, because they are going to have that kind of problem in Sarnia—or they do have.

Mr. Nixon: It goes back to when he was a Liberal.

Mr. Brandt: It's been a long time, though.

Mr. Nixon: Not so long.

Mr. Epp: Don't apologize too much; just put it in writing.

It was interesting with this shootout they had down there, as Mr. Russell explains it. Since they were not very clear on what the population should be and the projection was they would have about 75,000 in Barrie over the next 20 or 30 years, the minister thought he better make it clear at that time and he decided to send a letter saying it is government policy that it should be 125,000 people.

That more or less underlines the comment the Minister of Municipal Affairs and Housing (Mr. Bennett) made recently. We have these little tidbits that always come out in Municipal World. As the member for Welland-Thorold mentioned today, the gems and the jewels always come out on behalf of government members but opposition members are rarely, if ever, mentioned when they come out with these things.

The Minister of Municipal Affairs and Housing mentioned in his statement to Background, which comes out to members on a weekly basis, that after giving \$24 million to the area, it "... will help to make this entire area one of the major growth centres of the province." I suppose that is really what they want to be—one of the major growth centres. Bigness is better and it is growth that counts, nothing else. Irrespective of this, the Treasurer at that time sent this letter and caused a lot of consternation at the hearings of the Ontario Municipal Board.

It was appealed to various courts. We are told it first went to the divisional court where three high court judges heard the case. Then we are told it went to the divisional court for a second hearing before another three judges and then to the appeal court before five judges. There was another appeal to the Supreme Court of Canada before seven Supreme Court judges. A total of 18 judges heard this case and ruled on it.

In the final analysis, I suppose if there was a winner—and there are real questions as to who won and who lost—it was Innisfil to some degree because Barrie did not get what they wanted. As a result, we are here today with this piece of legislation trying to tie some loose ends together and support an agreement between two municipalities.

This piece of legislation falls on the heels of another that came before the House last week. It has to do with boundary disputes and has had second reading. I suppose it will go to committee some time next week.

Our concerns have to do with the environmental effects on Lake Simcoe and that area. As we have indicated there is going to be an increase in population. Whether it will measure up to the expectations, hopes and aspirations of the Minister of Municipal Affairs and Housing, I am not sure.

Nevertheless, we are told that Alcona Beach is going to have somewhere in the neighbourhood of 15,000 people. If that is the case, there will be a considerable amount of phosphorus pollution in the area. If they do grow to 15,000 people in that town there will be somewhere in the neighbourhood of 2.5 metric tons of phosphorus pollution in the lake and this will certainly hamper the preservation of Lake Simcoe as a recreational area and for recreational fishing and as an industry.

I wonder if the parliamentary assistant, on behalf of the minister, might give us a clear indication today of what effect that will have on this very important lake where thousands of people holiday every summer. I would not call it the playground of the western world, but it is certainly an important area from the standpoint of people spending their summer vacations there.

4:30 p.m.

The parliamentary assistant might also indicate what kind of result spending \$28 million on sewerage facilities is going to have on the area generally. If they are going to spend this kind of money, does that mean they are going to lessen the amount of pollution there now, keep it at the present level or just retard pollution growth?

I am pleased this piece of legislation is going to go before the committee because of the request by the Coventry Group which sent all of us a letter. They are concerned because of the 266 acres, known as part of lots 16, 17 and 18 in concession 10 in the township of Innisfil, which would be affected. I am sure they will be able to make a very fine presentation before the committee.

When this matter goes before general government, I hope neither the parliamentary assistant nor the members of that committee have their minds frozen with respect to what should be done. I hope they keep their minds open at least until the time the group has an opportunity to make their presentation. If their minds are already made up that they are going to turn this down, then going before the committee is a charade. We should neither waste the time of the committee and its members nor the time and money of the group in making its presentation.

Therefore I hope the parliamentary assistant could indicate clearly they would listen with an open mind to this presentation so that these people can have a fair hearing before the general government committee next Wednesday morning.

Ms. Bryden: Mr. Speaker, this piece of legislation, as we all know, is the culmination of a very long and sometimes acrimonious process of negotiation between the municipalities affected. The fact that the township of Innisfil is asking for an amendment which calls for "the implementation of the agreement in accordance with its terms" indicates that some suspicion still lingers that the agreement may not be lived up to.

It is unfortunate the suspicion still exists, but I can understand it after the long negotiation period. In this agreement there is a very substantial transfer of land from the township of Innisfil to the city of Barrie.

Final negotiations may have been assisted by the fact that the province was prepared to make fairly substantial grants to the city of Barrie in order to enable them to handle the new land, and to see that development was planned and controlled. I certainly hope the city of Barrie will take its responsibility for controlling this land very seriously and see that it is developed in the interests of all area residents, not just the few who may wish to develop residential or industrial complexes in their own interests.

The job of the municipality is to see that all interests in land use are considered and that

they all get some of their concerns taken into account. It is not always possible to please everybody, but I think the city of Barrie has a very important responsibility to see that the land it is annexing is developed in the interests of all residents.

This settlement is regarded as a pilot project in the negotiation process for settling boundary disputes and annexations. We are now in the process of enshrining that kind of process into the new Municipal Boundary Negotiations Act. I hope it will result in speedier disposition of annexation and boundary disputes, I hope it will result in less costly means of achieving boundary changes and less litigation, and I hope the negotiations will be friendlier than they have been in the past.

Until we see the working of the new Municipal Boundary Negotiations Act, we will not know, but I think this party is prepared to accept this settlement as the best possible solution at this time of the Barrie-Innisfil boundary situation.

I welcome the parliamentary assistant's willingness to have this bill referred to a standing committee to permit the appearance of one party, who has indicated to us he wishes to be heard regarding freezing of his particular land under the agreement. In a democratic society, when an individual's personal situation is affected in a substantial way, as it appears in this case, it behooves us to give him his day in court, as it were, and to hear his objections and how he considers he will be adversely affected, if that is his contention.

At any rate, this party has asked to be heard, and I think we should be willing to grant that opportunity to him and to any other parties who feel, similarly, they are seriously disadvantaged by the agreement. So we will support sending this out to standing committee.

Mr. G. W. Taylor: Mr. Speaker, I am pleased to rise and support this piece of legislation. As you may well be aware, the township of Innisfil and the city of Barrie are in the riding of Simcoe Centre, and I have been familiar with this matter now for a considerable number of years. Indeed, it has been an issue in two provincial elections, the most recent one and the one before that, with numerous opposition members and their leaders paying respect to the area as a result, primarily, of the annexation issue.

I also bring to your attention that as a result of this particular issue in the area, many other municipalities have been watching and waiting to see the result of this particular issue and

dispute. They have also been awaiting the particular piece of legislation we spoke on the other evening, Bill 147, the Municipal Boundary Negotiations Act.

Naturally, as a result of the Barrie-Innisfil-Vespra dispute, that piece of legislation came about and this settlement came about. The member for the riding with many names, Brant-Oxford-Norfolk, will say that the situation of the township of Brant and Brant county was also a pilot project, and indeed it was as a result of that situation that Barrie, Innisfil and Vespra arrived at this agreement.

4:40 p.m.

There is a great deal of history, and I could probably use up the remainder of the evening discussing the history and the background, and the situation that has been created as a result of this dispute or issue.

I might add a few facts. The Ontario Municipal Board hearing came about after many years. I go back to about 1970 when the matter was first discussed as a result of the Toronto-centred region plan, which had the feature of satellite cities, with Metropolitan Toronto being the core of those satellite cities. Barrie and the area around it were designated as growth centres. This was followed by the Simcoe-Georgian task force, which was layered on that Toronto-centred region plan, with that as the background.

Then discussions involved numerous ministers interested in this matter and numerous municipal councillors who were trying to discuss the matter. They did discuss it in regard to trying to resolve the expansion of an urban area. Then we have that flowing into the final culmination. Because they could not settle it amicably by discussion and could not, as has been done previously, amalgamate certain areas or restructure areas or create new regional governments, they went the litigious route through the Ontario Municipal Board.

That OMB hearing took 49 days, with 32 lawyers there representing 25 clients, including five local municipalities in the area, being the townships of Innisfil, Vespra and Oro, the city of Barrie and the county of Simcoe. All of these participated in that very lengthy hearing which resulted in court proceedings right up to the ultimate court of the land, the Supreme Court of Canada. Lawyers being what they are, the arguments were lengthy. Some were very technical; they had nothing to do with the merit of the problem but were very technical arguments

that got the participants to arrive at the Supreme Court of Canada with these arguments and produced the resulting judgements of them.

All of this amounted to numerous years of wondering what was going to take place, numerous years of delay, numerous years of stagnant growth for the area, numerous years of exceedingly large costs to the participating municipalities in legal fees, planning fees and lost opportunities. One must not disregard those lost opportunities to those municipalities, which were really frozen, or did not know which direction they could go because of these boundaries that were not resolved.

So we have that long history of indecision, bickering and dispute, a problem that gave rise to this piece of legislation. As the member for Waterloo North said, it was not without interference from the provincial level, because I sat with many of the ministers involved in this, and many municipal councillors, who tried to bring about a settlement over the period of time.

Indeed, each one had a different viewpoint as to who participated and how they participated. Although it may be a contrary position, being a government member I think Darcy McKeough's position when he was the minister involved in this was only to explain to the Ontario Municipal Board that it should provide for a community, as was set out in the task force whose report was adopted by the local municipalities and the province—a city or a community of some 125,000 to be created by a particular year.

There is no doubt those figures are subject to question. They may not be accurate, they may not be lived up to, but that was what the planning was to be for, a larger urban community.

One can ask, who should we plan for? Should we plan for urban communities or rural communities, and who will best plan for this land, depending on whose jurisdiction it comes within? I would submit that neither council has a monopoly on altruism. Neither council has that total altruistic approach that it will best plan for this community and its residents. Surely if it becomes part of an urban area, those municipally elected officials will plan best for those people within that urban community, as will the rural community plan for its residents.

So one cannot say that because there has been a movement of the boundary there will be a change. Speaking about that movement of the boundary, one has to bear in mind that over a period of time the different municipalities had different ideas. There was a time when Innisfil

was willingly going to give considerable acreage to the municipality of Barrie. There was a time in its proceedings when Barrie wanted considerably more than that acreage. We have now come down to a saw-off position where the participants have resolved that a certain amount of acreage will be sufficient. Anybody can use pros and cons as to what might be the most exact acreage, but I do not know any planners who are that perfect today in this field.

One has to say this is a reasonable settlement. It is a compromise. It is a settlement to which all the parties have agreed. I am sure there will be those who will say it is not the best. There will be some who will look back on it in history and say they should have done other things and should have proceeded in a different manner and method. Those people will be entitled to their opinions when that time comes. Only time will decide the degree of perfection of this piece of legislation.

I must draw attention to the fact that these negotiators, having seen the history, the cost and the lost opportunities, resolved they would try to work out a solution. I must pay credit to the mayor of the city of Barrie, Ross Archer, and his team of negotiators, such as Alex Arthur, Del Cole, Dorian Parker and Ed Thompson, who worked out a settlement on behalf of the city of Barrie with Reeve Grant Andrade, Deputy Reeve Katy Jans, Rick Deveau, Laurie Franks and Angus J. MacDonell on behalf of the township of Innisfil.

These people, along with the provincial people who played a great part in this, as well as the municipal employees who advised them, all deserve a great vote of credit and thanks for resolving this issue and settling the long-drawn-out and, in some respects, bickering dispute. All of it was done while they kept in mind at all times the best interests of the people they represented.

This agreement settles more than could have been expected through the normal route of Ontario Municipal Board hearings. It sets out far greater detail and preserves certain things for the different residents of the two municipalities. It gives them a greater benefit than they could ever have arrived at with a settlement or a decision of the Ontario Municipal Board.

The member for Waterloo North had some questions for the parliamentary assistant on this matter, one being population trends in the township of Innisfil for the Alcona Beach area. Those population trends are designated in the official plan of the township of Innisfil. They are

population trends they hope to reach. With the official plan that now has received approval, they will be able to plan in all the areas for the population trend, if it proves to be accurate and eventually exists. They will be able to plan such things as the environment, roads, sewers and other features.

The Ministry of the Environment, in close relationship to this settlement, has been looking at the township of Innisfil because Innisfil has grown in a strange way. It is on Lake Simcoe. There are numerous cottages that have been converted into permanent dwellings. The Ministry of the Environment, recognizing the environmental hazards as a consequence of this type of development, I believe has set aside \$28 million for a sewage and water treatment process for that area.

If that program goes through, it will be connected in the future with the smaller communities situated in the township of Innisfil. The member for Waterloo North mentioned one of them, Alcona. All of those features are provided for in the provision for funds for the environmental features of the township of Innisfil.

Regarding the Coventry Group, which wants to make a submission to the general government committee, one has to look at it as another land owner. As a result of the decision in which the boundary line has been determined and some areas have been frozen, there will be some people who will be disappointed and no doubt there will be some who will be elated.

4:50 p.m.

The area is a mixed area of rural and residential land. Some areas of it have been in a speculative form over numerous years, leading up to the Ontario Municipal Board hearing. Subsequent to that Ontario Municipal Board hearing, there have been extremely large prices paid for the existing farm land, based on the speculative value of whether it would or would not be within the urban annexation area, or outside the annexation area.

This is another situation where a developer has land that is now excluded from the urban area of the city of Barrie. It could just as easily have been within, had the Ontario Municipal Board drawn the line differently. If they have to take into consideration the ownership of the lands by speculative individuals or by the different developers, it makes for a very difficult task for proper planning. Most planners would agree that one cannot take the ownership of the land into consideration, although naturally many

of the people at the Ontario Municipal Board hearing were saying "include me" or "exclude that one" because of their personal interest in this regard.

One would have to look at the submissions made by the Coventry Group when they are made. One cannot just drop heavily on them because they have bought land for speculative purposes and now are outside, since there will be many in that particular category. They had an opportunity to make their position known at the Ontario Municipal Board. A line was drawn at the Ontario Municipal Board; now that line is reduced in acreage and some of those people who bought land previously, on a basis of speculation for urban development, are now outside it.

One could continue this hearing before committees with people coming in at a future time. One must also say that this agreement provides for a situation where the two municipalities, if they so desire or agree, can rezone one of those frozen areas or one of the areas in between the two municipalities, and make further decisions on that property, which is a feature they would not be able to do if it had gone the Ontario Municipal Board route.

This legislation provides for all of that. My only regret is that the other municipality, the township of Vespra, is not included in this legislation and the matter has not been dealt with in one package. Possibly when Vespra sees this going through, and sees the results of this particular legislation, it will quickly make its decision.

I must say there will not be total satisfaction with this particular agreement by all individuals, both inside and outside the municipality—for example, the residential area coming into the urban. One has to say that the greatest percentage of the people of the area would like this matter settled and concluded by the route we are going, in order to get the matter completed and get on with the future of that particular area.

I, for one, totally support the legislation and the efforts that have gone into it by all participants to bring about a conclusion to this long, historical pattern of dispute about the issue. Most people will be pleased to have it behind them and the future in front of them. I again compliment the minister and those involved in it.

Mr. Nixon: Mr. Speaker, I am very glad that the bill is before the House and that it constitutes an agreement among the formerly warring parties in the Barrie area.

I regret very much that it could not have come forward three or four years ago. My regrets are probably not typical, because the thing that burns me up more than anything else about this instance, and others like it, is the fact—

Mr. G. W. Taylor: There were 32 lawyers.

Mr. Nixon: That is right. It is the fact that all these Toronto lawyers have been driven up to Barrie in their Rolls-Royces day after day, collecting their \$120 an hour plus expenses plus food plus booze, plus sitting around with their feet up for all these weeks and months and collecting the untold hundreds of thousands of dollars, representing these innocent municipalities.

There is some kind of disease that municipalities get when they get into a war with each other. They figure that if they cannot get somebody from McCarthy and McCarthy then they move to Borden and Elliot, and, of course, there is a little inner group that figures it has got to have somebody from Goodman and Goodman, not necessarily to the exclusion of the others but usually in addition to the others.

They have absolutely no concern for the taxpayers' money that is firehosed into these treasuries in the law offices in the bank towers in downtown Toronto. It is an absolute disgrace the amount of public money that has been channelled into legal fees over this particular little contretemps alone. I really believe it has been the legal fees that have frightened these people into sitting down and making the kind of agreement they might have arrived at years ago.

I can never understand why they do not retain some good, healthy young lawyer from down the street in Barrie or Orillia. Why they think they have got to get all these pumped-up lawyers from Toronto is something I really cannot understand. You have heard them in action. All their phrases seem to be replaceable; they glare at each other before the hearing officers, and they go out slapping their thighs and giggling to each other because they have once again pulled the wool over the eyes of these people who are spending taxpayers' money.

Years ago somebody calculated that at least \$1 million was spent in this ridiculous local fight at Barrie-Innisfil.

Mr. Haggerty: They said \$2 million.

Mr. Nixon: Well, \$2 million. The honourable member for the area, who himself is a lawyer—Were you representing one side or the other?

Mr. G. W. Taylor: I didn't get a penny.

Mr. Nixon: Well, that is it; that is the point, you see? If they had had the good sense to retain some local fellow, he probably would have made enough money so that he would not have had to go into politics in the first place, a place where he is going absolutely nowhere. But that is another story.

I just felt I had to get part of that off my chest, because it is not just three or four of these firms that go up. By the time every little municipality that might have some residual interest in the final solution, so-called, is involved, every one of them has got to have a lawyer who is driven up from Toronto by chauffeur every day.

And the fees they charge are just outlandish—"criminal" is probably the best word to use. We do not have a law that makes it illegal for these fees to be charged and for the innocent lambs to be led to the slaughter absolutely in herds. But it is something I resent very much, and I believe the taxpayers are absolutely sick and tired of it.

There are a couple of other matters in this whole solution. In describing it, the honourable member, the lawyer—no, the insurance agent from downtown Toronto, from Wilson Heights—indicated that the farm land was being frozen and that this was okay because, since it was farm land, it could not be down-zoned any further. You have just no idea how irritating this is to the owners of the farm land.

It is almost enough for them to get Eddie Goodman himself to come and represent them at some footling committee meeting, which is going to be held next Wednesday and which is going to do little or nothing for the good of those land owners who, according to the parliamentary assistant, are losing none of their rights. Yet we all know that when you enshrine the fact that they have no rights for development in a statute like this, it is very hard to take.

Over the years they have looked around at those people who seem to have maybe a little more initiative or a little better lawyer—which is the other side of the coin I have been talking about—who will get their severances and the shopping centres on one corner of their farm, or there will be some preferment so that the value of the land up there has gone up tremendously. There is all the land around Kempenfelt Bay that has not been bought by the government for its staff training facilities.

Mr. G. W. Taylor: Georgian College.

5 p.m.

Mr. Nixon: No. I am talking about the

emporium operated by the government of Ontario to train its staff, the one that is referred to in detail by the Provincial Auditor, who was indicating that there is a tremendous inadequacy in the planning up there.

By this special statute we simply sign, seal and deliver, and land owners in the area, particularly farmers, resent the fact that their land is worthless except for growing crops. While all of us, as farmers, place our hands on our chests and say we have to preserve farm land, our neighbours are selling land at astronomical profits. When some gentle authority 60 miles away decides, by virtue of a bill that runs through the Legislature, that our rights are forever disowned and inoperative, it is difficult to take.

There are still complaints in the Brantford area because of that. While it was all farm land, development rights were inherent and intrinsic in some of those areas which were snuffed out by the passage of that statute. We had a similar kind of committee meeting to the one that the parliamentary assistant is planning for next Wednesday, which I gather is not tomorrow.

Mr. Rotenberg: A week Wednesday.

Mr. Nixon: Well, tomorrow is the next Wednesday, but I know what he means.

At that time, we tried to be sure that individual land owners would at least be considered on an individual basis and that there would not be some blooming map around where some planner, also overpaid, would have green ink drawn around large areas of land. That property would be put in limbo forever and people could grow onions, celery, wheat weeds, or whatever they grow there, without any thought of development.

Through all these years there have been the inadequacies of the planning process, both locally in the Barrie area as well as in the Brantford area. Under the direction of the government of Ontario and its chief planner, the Minister of Economics as he then was, all sorts of irrational plans and developments were allowed to go forward which have made it necessary that this sort of legislation come into being.

There are instances right across Ontario where huge malls operating on a septic tank have been allowed to be built just outside city boundaries. The reasons were obvious at the time but are extremely dislocating from a planning basis. We have seen this being allowed by the Legislature, by the government of the day, which did not seem to have the vision—

something we would all agree is so essential in modern politics—to see that the development was in the best interests of the whole community, and that the rural area would be maintained for agricultural purposes and that the urban area would grow in an appropriate way.

I felt for a long time, particularly in the days when Darcy McKeough was the Treasurer, Minister of Economics and, by his own designation, chief planner of the province, that we dealt inadequately with this important and ongoing responsibility. All one had to do was go down to Chatham to see how fouled up planning procedures were when the major shopping centre for the area was built—one that I suppose set the pattern for that kind of dislocating development across the province. A very large shopping centre was built in the township, just outside the town of Chatham, with the benign chief planner of the universe looking on as he drove by in his limousine two or three times a week.

It used to be fun raising the devil with him; now he has other problems. He is probably laughing at what goes on here because we do not seem much closer to the actual solution of having the municipalities move in a co-operative way towards a development plan that will benefit all concerned. Instances emerge on a regular basis where that kind of unplanned development still occurs even in areas with regional governments, which are supposed to co-ordinate and once and for all give us a rational approach to the whole matter.

Certainly, as my colleague has already indicated, we are supporting the legislation. We are sorry it is so late. We are glad the example of Brantford and Brant county at least assisted local municipal officials to come to some sort of an agreement. I must say, as always, I feel the Ministry of Intergovernmental Affairs, at least more latterly, has given some substantial assistance in this connection. But the whole approach of the confrontational solution, through the municipal board and diktats from the chief planner of the province indicating what the approach should be, surely is gone forever.

I repeat I regret also that so many hundreds of thousands, in fact, millions of dollars have just been thrown out the window to buy legal hired guns to fight the battles for the local elected people, who might very well have sat down and worked out a rational solution five or 10 years ago. But a lot of money has gone out of the taxpayers' pockets. The solution, when we see it, is not so difficult, and I am glad it has finally been arrived at.

Mr. Rotenberg: Very briefly, the member for Waterloo North (Mr. Epp) raised the matter of new development and I think we can assure him that, although it is in the official plan, no subdivision agreements would even be applied for until the Ministry of the Environment is satisfied that the water, sewers, et cetera for the new areas will be sufficient and that, if anything, there will be an improvement to Lake Simcoe and not the other way around.

He has asked if we have an open mind on the Coventry hearing a week Wednesday morning. I would simply point out that if this motion does carry this evening, Coventry will be officially informed and so will the township of Innisfil and the city of Barrie. Coventry will make its case and both Barrie and Innisfil will indicate why they want the agreement differently. The committee will then give its judgement based on the evidence before it.

The member for Brant-Oxford-Norfolk discussed this bill in terms of cutting out all the lawyers, and I certainly agree that is so. That is why we brought in Bill 147, the Municipal Boundary Negotiations Act, so that lawyers would be cut out in the future. I do not know if it was intentional or not, but not only did we cut out the lawyers we also cut out all the consultants. If such a thing is possible, they are just as bad as the lawyers.

Mr. Nixon: I certainly do not mind voting for this.

Mr. Rotenberg: But I am really surprised that the member for Brant-Oxford-Norfolk would make such an impassioned plea for the land speculators who want to pave over prime agricultural land. I thought he and his party, or many of them, were all in favour of maintaining prime agricultural land in the province. What we are doing in this area is maintaining it in Innisfil township, and I am surprised he is not in favour of it.

Mr. Nixon: What about the farmers who have to pay for all that maintenance? You people sit down here in the city eating caviar, while the farmers are starving.

Mr. Rotenberg: With those words, Mr. Speaker, I hope this bill will carry.

The Acting Speaker (Mr. Cousens): Is it the pleasure of the House that the motion carry?

Motion agreed to.

Ordered for standing committee on general government.

INTERNATIONAL BRIDGES MUNICIPAL PAYMENTS ACT

Mr. Rotenberg moved second reading of Bill 171, An Act respecting certain International Bridges.

Mr. Rotenberg: Mr. Speaker, this proposed legislation establishes a standard method by which international bridge authorities and commissions can make payments to municipalities in which the bridges are situated. Existing legislation governing Blue Water Bridge Authority and the Niagara Falls Bridge Commission will be repealed and replaced by this legislation. It will standardize the payments and settle the various disputes that have happened in the past between municipalities and bridge authorities. The municipalities in this case, although they would like more money, have indicated they are reasonably happy with the legislation as it is before us.

I believe this bill offers a comprehensive policy for payments in lieu of property taxes to be made for the international bridges named in this act and it sets a precedent for agreements for future bridges, for legislation for other bridges when the agreements for taxation of those bridges expire. I would commend this bill to the Legislature.

Mr. Haggerty: Mr. Speaker, I want to address myself to Bill 171 and to rise on behalf of my colleagues, the official opposition, in support of the principle of the bill. The increase, as the minister has indicated, however small the amount, is no doubt appreciated by the municipalities that will be recipients of the additional income.

I do not have to tell the minister of the fiscal constraints many municipalities now face. They are looking at all areas of additional revenue increases to offset high property taxes. I was concerned about section 1(2) of the act, where it says:

"Notwithstanding any general or special act, the Assessment Act applies to real property vested in or controlled by the Niagara Falls Bridge Commission and situate within the city of Niagara Falls and the town of Niagara-on-the-Lake, but such real property is not subject to taxation and the Niagara Falls Bridge Commission is not subject to assessment for business assessment under section 7 of the Assessment Act in respect of its occupation or use of the real property."

5:10 p.m.

I was interested this afternoon in the questions directed to the Minister of Revenue (Mr.

Ashe), who is responsible for assessment policy in Ontario, related to the policy he will now perhaps be implementing on the day-care centres located in vacant school classrooms. We find we can make good public use of these classrooms. The minister says schools are assessed and I agree with that. They have always been assessed under the Assessment Act, but the buildings themselves have been exempt from municipal taxation.

If we follow the basis of the market value concept as this government has proposed for the last 10 years, it was considering that all property be assessed at market value. I do not know if this amendment to section 1 relates to the market value concept, even based upon the 1975 market value approach taken by the Ministry of Revenue.

I raise this question because I can recall when the Peace Bridge was opened in 1927 by the Prince of Wales, and at that time it was financed by a group of private developers, the bonds were secured by the government of the day and the debt was paid off. Now it is the Peace Bridge Authority. The revenue generated from that bridge alone provides substantial income for the municipality of Fort Erie compared to what these municipalities are going to get. I believe it is \$22,000 in 1981 for the Blue Water Bridge, the Rainbow Bridge, the Whirlpool Rapids Bridge and Lewiston-Queenston Bridge.

The revenue generated for the town of Fort Erie by an agreement with the Peace Bridge Authority amounts to \$120,000 for this year alone. Next year it will increase by \$10,000, bringing it up to \$130,000. I have questioned the parliamentary assistant in this area. The Peace Bridge has been assessed for years under the former county of Welland. Perhaps that is what brought about a generous concession to the municipality as it relates to taxes in lieu of assessment on the bridges. It was one of the first international bridges that was assessed by a county and by the municipality and, small as it is, I think the province could have done better than this.

Regarding the Rainbow Bridge, I believe the province, by agreement with the city of Niagara Falls, has had that frozen for 20 years at \$12,000. It is going to be increased now to about \$33,000 by 1983. When I look at the concept of market value as mentioned here, it will be assessed and I think that policy has been established by the Peace Bridge Authority and the municipality. There was a private bill presented by this member in the House on two occasions. I think

the bill has not been introduced in the last couple of years because the two parties have been able to come to a favourable agreement.

My colleague Mr. Bullbrook, the former member for Sarnia, was delighted to get a copy of that agreement with the town of Fort Erie and the Peace Bridge Authority. He thought this was a great deal. I think this is one of the areas where further negotiations at the Blue Water Bridge brought additional revenue to the municipality.

We can go further than this to assist these municipalities in the constraints they are now facing if we follow that principle. If we look at the Fort Erie bridge, it generates revenue for the town. It also generates good revenue for the federal government. I think it is between \$200,000 and \$300,000 a year.

I was checking with the secretary this afternoon about the bridge and the revenue generated through the increase in tourism in the province, including those dedicated Americans who were coming over to get cheap gas that was being dumped down in the Fort Erie area. I was a little surprised when he said the increase in vehicles coming across the bridge did not necessarily generate additional revenue. He said: "If you travel across the bridge at Fort Erie, for example, you pay 35 cents one way. But when you buy a book of tickets that will give you a favourable fare rate of 20 cents a trip."

I look at this and at the area of the Lewiston-Queenston Bridge and all the trucks that come west from the American border into Toronto. About 90 per cent of those trucks cross at Lewiston and I suggest there is a good revenue base there for Ontario. I think more of that should be passed on to the community. I find in my area, particularly the Fort Erie area, it is nice to have these vehicles travel through the community, but there are other services that must be provided for the entrance to these bridges and the biggest share of that cost is perhaps borne by the municipalities.

We have to have arterial roads as connecting links to these bridges and much of it is not provided by provincial highways, but by either a regional or county road system. Based upon that, I think the minister can do more in this area so those municipalities receive a larger share of the revenues from those bridges.

The Rainbow Bridge has been there for some 20 years and I suggest that debt has been retired. Perhaps the same goes for other international bridges. I am sure there is additional revenue coming to this province but a much bigger share should go back to those communities. They are

entitled to it. Taking the approach of market value assessment, I am sure much more additional revenue would have been provided to the municipalities if the bridges were assessed at market value.

We are coming in with this particular bill this afternoon and saying: "We have come to an agreement with the municipalities and the bridge authorities. The government thinks it is a good move that they should get additional funding." The government can go much further and I suggest it perhaps should.

We support the bill in principle, but perhaps in the next two years we should take a look at the agreement with the town of Fort Erie and the Peace Bridge Authority. I find on the American side there are authorities set up. All that money, for example, from the Peace Bridge goes to the Buffalo Peace Bridge Authority. It uses that for improvements on the Peace Bridge structure. They use the money for transportation purposes. In fact, they even used it to improve their international airport in Buffalo.

There is sufficient funding there that should be passed on to the communities. I suggest to the parliamentary assistant that the next time the agreement comes up we should give them a little more. I think they deserve a bigger share. I do not know what the government does with the revenue from this. Perhaps it goes into the consolidated revenue fund.

Mr. Rotenberg: It goes to the municipality.

Mr. Haggerty: He says he does not get it. Who gets it?

Mr. Rotenberg: The municipality gets it.

Mr. Haggerty: Not all of it; I am afraid they do not get all of it. I suggest as much as it is or as small it is, we go along with the principle of the bill and support it.

Ms. Bryden: Mr. Speaker, we support the principle there should be payments in lieu of taxes to communities with property that is difficult to assess, which provides public services and undoubtedly requires some services from the municipalities and therefore costs the municipalities some amounts of money for providing municipal garbage collection and so on to the buildings connected with the structures.

5:20 p.m.

It appears that in the past it has not been found feasible to assess anything but the buildings connected with the bridges. To assess the structures themselves was a problem. The payments in lieu of taxes appear to be the logical

answer. The question is, does this bill increase the load on the bridges which will ultimately make the payments in lieu of taxes to the municipalities? It appears it will.

The amounts envisaged in the legislation will be somewhat above what the bridge authorities have been paying in the past. I suppose we could argue that the costs have gone up but, to phase in this increased load under the legislation, the government is proposing to pay the assessments in the amount of two thirds the first year, one third the next year and none the third year; in other words, to phase it in over three years. The taxpayers of this province will be paying for the phasing in.

Since most of the bridge authorities are public authorities, it is really a matter of who will pay the extra costs, the international authority or the province. Ultimately, I imagine the bridge authorities will raise the tolls to cover the extra levy envisaged by this bill so that it will become, in effect, a user charge.

We are prepared to support this bill because we think municipalities should be compensated for the costs of having structures of this sort within their boundaries. I think the proposed payments are reasonable. They will be escalated as mill rates and costs go up but that is a necessary part of seeing that the municipalities are able to meet inflation.

We will support this bill.

Mr. Rotenberg: Mr. Speaker, I thank the members opposite for their co-operation in supporting the bill.

In response to the member for Erie (Mr. Haggerty), the approaches to the bridges are assessed on the same basis as other commercial properties in municipalities. If the municipalities are on market value assessment, the bridges are on market value. If they have had a section 86, they are included in it. If the other commercial properties in the municipality are on the 1975 assessment, the bridge would be on the same basis.

We have been informed that the Peace Bridge does pay considerably more taxes than some of the other bridges. Until now, Fort Erie has not asked us to interfere in that sort of thing on the bridge. Other bridges are coming up to the standard, I think, of the Peace Bridge and these other bridges are receiving a considerable increase in taxes over the next several years. With those words, I ask that this bill be supported.

Motion agreed to.

Ordered for third reading.

PLANNING ACT

Mr. Rotenberg, on behalf of Hon. Mr. Bennett, moved second reading of Bill 159, An Act to revise the Planning Act.

Mr. Rotenberg: Mr. Speaker, thank you for allowing me to make an opening statement.

Mr. Cunningham: Start by telling us where Mr. Bennett is.

Ms. Bryden: The minister is not here.

Mr. Cunningham: Why isn't he?

Mr. Wildman: How come you have to work so hard for your minister? The other parliamentary assistants don't work so hard for their ministers.

Mr. Rotenberg: This is a very important piece of legislation, not only for the members of this Legislature but for the rest of the people. If the members opposite do not want to hear what is going on it is quite all right. I am wondering if they are really serious about discussing this bill before us.

Mr. Wildman: What is the problem? Does Claude not understand the bill?

Mr. Deputy Speaker: The member will continue with his opening statement.

Mr. Swart: We think you should be the minister if you have to handle a bill like this.

Mr. Rotenberg: That is the first intelligent thing that has been said by a member from the opposition all day.

Mr. Swart: You should displace the present one.

Mr. Rotenberg: Without taking anything away from the present minister, I think he is doing an excellent job. He is very familiar with this act, but he asked me to carry this legislation in the House. It is a matter of dividing the responsibility through the ministry and I think it is done very well.

As I was about to say before I was so rudely interrupted, there has been over the past many years extensive participation by municipal associations and many other interested groups in the process of preparing this legislation. This bill has been revised from previous drafts to respond to many of the concerns of the Association of Municipalities of Ontario and other groups within the province.

After second reading I will recommend this bill be sent to the standing committee on general government to be dealt with during the winter recess—dates are not yet set, but they will be by the House leaders—to have a detailed

clause-by-clause analysis of the bill. The committee would also hear any further representation from municipalities, municipal associations, ratepayer groups and, although the member for Brant-Oxford-Norfolk (Mr. Nixon) has gone, even the Municipal Lawyers Association. Anyone who wishes to make representation will be invited to do so.

Quite frankly, we in the ministry and the government will be treating this bill in committee somewhat differently than most bills that go before committee. We are sending it on the understanding from our side that the bill is open to suggestions, it is open to amendments, and we are not married to any specific clause in the bill. We hope, as a result of this further discussion before the committee, that if there are amendments necessary we will consider them. But as a result of the process—with the co-operation of the members opposite, and I am sure we will have it—I hope we will come up with a Planning Act that will be a model for this province for many years to come.

Having indicated that we will deal with this in detail in committee, I would hope debate in the House today can be conducted on the principle of the bill and we can leave the details to discussion at a later date. This, of course, does not in any way preclude any member opposite from discussing any matter in the bill.

I would like to take a few moments to indicate to the House how this proposed act differs from the present Planning Act. For the first time provision is made in the act for identifying provincial interests. This process will help to provide municipalities with a clear framework for their planning.

The act will enable the province to issue policy statements on specific planning matters with cabinet approval. These policy statements will, for example, define the provincial interest in such important policy areas as the protection of food lands or the preservation of environmentally sensitive lands. Thus ambiguity will be reduced and clearer direction given to those charged with local planning responsibilities.

The minister's power to approve certain planning activities was previously delegated only to regional municipalities. This policy is to be expanded so that counties, cities and other qualified municipalities might also be delegated approval authorities providing they meet certain criteria set out by the minister. Of course, we will not be forcing these approval powers on municipalities. If municipalities want the authority they will have to request it. It will not happen automatically.

It should go without saying that no municipality will be delegated the power to approve its own official plan. The province will approve the official plans of regional municipalities and counties, and in the absence of such plan the local official plan as well. When a region or county plan receives such approval it may then approve the local official plans.

The new act requires that where provincial ministries, boards and agencies conduct activities they think will affect municipalities they must consult those municipalities and take local planning policies into account. This will ensure that municipalities are aware of and involved in such provincial matters as may affect them.

Under the revised act, planning between two or more municipalities in southern Ontario will be entirely voluntary. However the provisions of the present act on joint planning will remain in effect in northern Ontario because it is sometimes necessary for the minister to include unorganized territories adjacent to municipalities in joint planning areas.

5:30 p.m.

The formal role of planning boards in southern Ontario will be discontinued. To make the planning process more directly accountable to local citizens, the responsibility for planning will rest directly with municipal councils. However, councils may, if they choose, appoint advisory committees to assist them in carrying out their planning functions.

We have also refined the definition of official plans. In future, while official plans will focus primarily on physical matters, social, environmental and economic concerns will have to be taken into account in developing these plans. In future, unless the specific provincial interest is identified in advance, the Ontario Municipal Board will be the final arbiter on most planning appeals. Where the minister believes a matter of provincial interest is at stake, the board will be asked to hold a hearing and report to cabinet, which will then make the final decision.

The final change I would like to mention is that requirements for public participation have been improved and made uniform under the revised act. Before adopting an official plan or a zoning bylaw, a municipality must hold a public meeting to discuss whether proposed measures should be adopted. This will result in more effective public involvement in planning issues at the early stage.

Those are some of the highlights of the changes in principle of the proposed Planning Act from the present act. There is a lot of detail

in this act. I hope we will spend a lot of time in committee discussing this detail and will be able to report back to the House next year with an agreement on a new Planning Act.

Mr. Epp: Mr. Speaker, I am pleased to be able to speak on this very important piece of legislation. Since the parliamentary assistant indicated it was very important, I am surprised the minister is not here. I wonder whether this is his regular afternoon for bowling or whether he will appear as a spokesman before the committee when it sits in February or March, or whenever it sits, in order to present his views on the bill. I would have thought he would have presented them today.

Interjection.

Mr. Epp: Oh, he is raking one of his four lawns, I am told.

I do agree it is a very important piece of legislation. I am glad the parliamentary assistant indicated this will go before a committee. There are many municipalities as well as individuals and citizen groups who will want to make presentations on various parts of the bill.

I have a number of concerns I would like to raise this afternoon because they need to be raised. I am sure my colleagues on this side of the House will want to raise a number of matters. First, we have to look at the definition of planning matters in the province. In BC, what they do is refer not to a planning act but to a land use act. That is what this act is concerned with. It is not planning, it is land use.

Municipalities will be dealing with "physical matters." I quote, "Official plan" means a document approved by the minister containing objectives and policies established primarily to provide guidance for the physical development of a municipality or a part thereof or an area that is without municipal organization, while having regard to such social, economic and environmental matters as appear to be relevant."

What does "regard to" mean? It is a very nebulous, vague term. It means one can pay attention to it, or if one does not want to pay attention to it, one does not have to. A number of people to whom I have spoken are very much concerned about this. They say the province has two policies; it has an important conflict in a number of areas.

For instance, in my own riding, in the small town of St. Jacobs, they recently had to accommodate a boarding house in so far as the physical planning was concerned. The Ministry

of Community and Social Services says in its legislation—I notice the parliamentary assistant is not paying attention; is he ready now?—that a municipality must provide for a boarding house. And at the same time we are saying in this document—

Interjections.

Mr. Epp: Are you ready?

At the same time we are saying in the Planning Act that all we have to do is give regard to these matters. And as I indicated, it means nothing. It was the same thing for instance in the city of Toronto. In 1978 they passed a bylaw that said for every three rooms in a boarding house they had to provide one parking spot. We are dealing with a physical thing as far as parking is concerned, but we are also dealing with a social problem as far as accommodation is concerned. The government is mixing the social and the physical, but at the same time the act does not give enough emphasis to the social.

In the city of Toronto, for instance, the second-biggest budget they have is for social services. It is very important, yet this act really does not pay enough attention to it. The hostels are another problem. The bill must provide hostels and it must zone for them, as far as some of the psychiatric patients and so forth are concerned. Yet I think this act neglects that somewhat.

What happens with the environmental concerns? A municipality has to provide for flood plains in its planning and that is a physical thing. As far as this definition is concerned it is a planning matter, and yet it is really an environmental concern that should be incorporated.

These are some of the questions that should be asked and answered in committee. I am just giving the parliamentary assistant notice that the ministry must take a close look at that again. I know a number of the planners and people who have looked at the act say this section should be broadened to give greater emphasis to social, economic and environmental matters.

The province assumes a number of responsibilities itself. If we look at part I, the provincial administration, we notice the province says they are going to be responsible for "(a) the protection of the natural environment, including the agricultural resource base of the province, and the management of natural resources; (b) the protection of features of significant natural, architectural, historical or archaeological interest; (c) the supply, efficient use and conservation of energy" and so forth. These things are

important to the province, but as far as this act is concerned they are not important to the municipalities.

When we look at the section on official plans we find that one municipality should be able, when allowed by another municipality, to plan for another municipality. I find this somewhat difficult because municipalities often have conflicting interests. If one municipality, whether upper tier or lower tier, is going to be planning for another—and we know the planning will most obviously be done by the upper tier for the lower tier—there are going to be some real conflicting interests that will have to be resolved. Farming these planning matters out to another municipality presents this conflict, and I am sorry to see that it is in this act.

The other problem with section 15 has to do with part (b), which says the council of a county or of a regional, metropolitan or district municipality may “provide advice and assistance to the local municipality in respect of planning matters generally.” That means, as I understand it, that a municipality can provide advice and assistance specifically to the local municipality in respect of planning matters generally. So specific matters are being confused with general matters—another point that should be clarified.

As far as the official plans are concerned, we find in sections 18 to 20 that if there is an appeal, or if the province wants to declare a policy of provincial interest, they can do so 10 days in advance. Personally I think 10 days is a very short time; I think that period should probably be about 21 days. This section comes out again under bylaws and amendments to the Planning Act, where we are talking about 10 days.

5:40 p.m.

We are talking about policy statements here, where the minister is able to put out policy guidelines and circulate those to the municipalities in the province. If some matter that comes before council is of provincial significance the minister can so indicate to the municipality and thereby take it out of the hands of the Ontario Municipal Board if he so wishes.

This is a problem for municipalities. I think if some matters are of provincial interest it will be difficult to separate them from matters of local interest. I think if this act comes into force the way it is, in a few years we will be back here in the Legislature rewriting this section because of the confusion it is going to cause, both to the OMB and to local municipalities, as far as differentiating what those matters are.

Also, I will read from section 21(2) where we

are speaking about the minister: “Where the minister is satisfied that there is not a matter of provincial interest adversely affected by an amendment to an official plan submitted to him for approval and no request for approval has been received under section 17(10) he may, in writing, waive the requirement for approval thereof, whereupon the amendment shall be deemed to be approved.”

Why is the minister chicken? Why is he not approving the thing rather than waiving his right to approve it. I guess this way he merely waives the right and it is approved. Otherwise he should actually approve it, but somehow or other, the minister is reluctant to take that important step, to put his signature on the line and approve something. In this case he is merely waiving his right to the matter. He is forgoing his right to object, and thereby accomplishing what he could do by just approving that matter.

We also want to look at section 23, where we are speaking about the request by the minister to amend a plan. We would very much like look at subsection 2, where, when the minister proposes to make an amendment to an official plan under subsection 1, the minister may, on the request of any person or municipality, request the municipal board to hold a hearing on the proposed amendment. I am somewhat at a loss as to why the minister “may” have a hearing when an individual requests this, but when the municipality asks for it, he “shall” have a hearing. I would very much like to see that “may” replaced by the word “shall” so that the minister is obligated to hold that hearing when the need arises.

With respect to section 23(3): “Despite subsection 2, where the minister is of the opinion that a hearing by the municipal board would serve no useful purpose or that the request is made only for the purpose of delay, he may refuse the request.” I find it difficult to support something of that nature. I really believe that should be removed because I am sure if people ask for a hearing they should be entitled to it. The minister should not be in a position to waive that section.

Section 45(1) deals with committees of adjustment, and I will read the section: “The committee of adjustment, upon the application of the owner of any land, building or structure affected by any bylaw that is passed under section 34, 37 or 40, or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other act, authorize such minor variances . . .”

I could be corrected on this but as I understand it this section authorizes a committee of adjustment to have minor variances. Yet on the same page, further down on page 44 at the bottom, section 45(3) says: "A council that has constituted a committee of adjustment may by bylaw empower the committee of adjustment to grant minor variances from the provisions of any bylaw of the municipality that implements an official plan, or from such bylaws of the municipality as are specified and that implement an official plan . . ."

Either the committee of adjustment has the right to authorize minor variances, or it does not have the right. If it has the right under the first part of section 45 as I understand it, then the council does not have to give them that right separately later on as is indicated in the proposed legislation here.

I think subsection 3 must be rewritten. As I was speaking to different people about this act they indicated they find it very confusing. They think that in some cases the committee of adjustment can make any kind of variances and not only variances to bylaws. They think a committee of adjustment would be able to vary an official plan as opposed to varying a bylaw, which is very different. That would give a committee of adjustment, which is an appointed body, an inordinate amount of responsibility which I do not believe they should have. I think the council should have that. So I would respectfully suggest the writers of this legislation take another look at it in the hope of clarifying that proposal.

Section 50(20) on page 55 deals with divisions of land by will. I am not sure if the minister is aware of this but I understand people who wanted to subdivide land into different lots, if they had a very smart lawyer, could do it in their will. I know my colleague was referring to lawyers earlier, but if one had a very clever lawyer they could do it. Apparently it has happened that a son who was a lawyer, decided to recommend to his father that he implement in his will the division of land into separate lots. When the father passed away, the will was read and this then had to be put into force. What he could not do when he was living, he was able to do when he was dead.

According to this legislation, this will remove the right of having that included in the will so that no one in the future will be able to subdivide their land in their will if they were not able to do it going through the regular process.

I want to also draw attention to section 69,

which deals with development standards. I can understand in one respect why the provincial government would recommend the minister would have the authority to set standards for development in various municipalities. The problem with this proposal is that the minister could extend his right to have a certain amount of uniformity in various municipalities or across the province.

5:50 p.m.

I understand this is something developers asked for. I am not sure if this was put in because the developers had a very important lobby for this. I can understand that if developers dealing with municipal legislation build, for instance, or develop land in several municipalities across the province, they like to have some kind of conformity. The problem with this is that it takes away from local municipalities the kind of autonomy that this government has often said it wants municipalities to have.

If the minister has the right to force municipalities to comply with certain legislation, certain specific standards he thinks they should have—for instance, he may decide that across the province any new subdivision built has to have sidewalks, curbs, light standards of a certain height, energy consumption of a certain amount, sewers of a certain width and so forth, beyond what may naturally be expected—if these are the kinds of powers the minister wishes to implement or use, I would think they would be an abuse of his position as minister.

I think local municipalities are in the best position to do that kind of planning, and I hope this particular section is clarified when it goes before the committee. As it is now, it is too broad and gives the minister too much responsibility.

Finally, because the Planning Act, with about 73 pages, is a very voluminous piece of legislation and one that is going to have a great impact on the province and on municipalities, I recommend that the provincial government set up some kind of administration branch to advise planners, to advise smaller municipalities on the implementation of this new legislation. I suggest this because of the fact that many zone changes or official plans and so forth that are now in the hopper, in the process of being changed, will be changed according to the old act.

When this new act comes into force, any new applications will be dealt with under the new act. It will take a number of years before the old applications are finally processed and we are working completely under the new act. In the

interim period, I think it is important that smaller municipalities and those groups and consultants and so forth who do not have the expertise to study both pieces of legislation and to be completely familiar with them, have access to some people in the ministry who would advise them on how to proceed.

On that note, I look forward to this going to committee and having various groups, particularly municipal groups, make their presentations so that their concerns can be better incorporated in this piece of legislation.

Ms. Bryden: Mr. Speaker, I would also like to express my regret that the Minister of Municipal Affairs and Housing is not here to participate in this debate. This is one of the most important pieces of legislation to come before this House. It culminates six years of study and review of our planning legislation in this province. It is part of a process that started with the appointment of the Planning Act Review Committee in 1975 under Eli Comay. This committee reported in June 1977. There was an opportunity for comment on it and more than 350 submissions were heard.

In May 1979 the government introduced a white paper giving its reaction to the Comay report and the comments on it. In December 1979 a draft bill was brought in and more than 350 submissions were heard on that. Finally we came forward with bill 159 in October of this year.

It is certainly a subject that has had very great study. It is a completely new bill in the sense that it is not an amendment. I understand about a third of the former Planning Act is incorporated in it but with some significant changes even in some of the sections that we might say were carried over.

There are a considerable number of new concepts introduced in this bill and for that

reason we should not pass it without considerable debate. The public also should have an opportunity to be involved again in what may be the final draft of our new planning legislation. That is why I think this bill should be sent to a standing committee for further public hearings.

When he introduced the bill, the minister said it indicated the government's commitment to deregulation and strengthening the role of local government. I think we have to ask if deregulation is always a good thing. Deregulation is not a good thing if it allows one interest to have too large a say or too much power in areas where there are conflicting interests.

In the realm of land use we all know the main contenders are developers versus citizens. There are also conflicting land uses, with people wanting to use land for different purposes: industrial, recreational, residential, highways or for provision of social facilities. All these conflicting interests must be reconciled and the people espousing them must have a full opportunity to present their cases.

Deregulation can mean that safeguards for the hearing of the views of all the conflicting interests may be watered down or even left out. Therefore I am not sure I accept the minister's objective of deregulation as a good thing. We have to look more closely at the terms of this bill as to how it protects the rights of different parties. We must examine how it allows conflicting interests to state their positions and how it ensures there is some sort of impartial arbitration between the different interests.

Mr. Speaker, I am going to speak for quite a lengthy time. I think this might be a suitable time to interrupt my remarks and adjourn the debate, if that is satisfactory.

The House recessed at 6 p.m.

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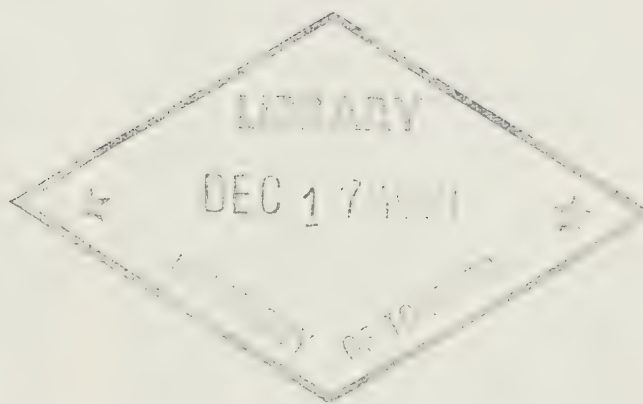
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No. 122

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Tuesday, December 8, 1981

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, December 8, 1981

The House resumed at 8.02 p.m.

PLANNING ACT (concluded)

Resuming the debate on second reading of Bill 159, An Act to revise the Planning Act.

Mr. Cunningham: On a point of order, Mr. Speaker: I draw your attention to the lack of a quorum here.

Mr. Speaker: There is not a quorum.

Mr. Speaker called for the quorum bells.

8:06 p.m.

Mr. Speaker: I see a quorum. The member for Beaches-Woodbine has the floor.

Ms. Bryden: Mr. Speaker, when we recessed at six o'clock I was discussing the stated objectives of the Minister of Municipal Affairs and Housing (Mr. Bennett) in bringing in a new Planning Act, which were to show commitment to deregulation and to strengthen the role of local government. I was questioning whether deregulation is necessarily a good thing if it results in any one interest getting too large a share of power, because of superior financial resources or the ability to hire experts and so on, and I was arguing that regulation is generally needed to ensure that all conflicting interests get a somewhat equal opportunity to present their cases and, we hope, get equal treatment.

Particularly on the question of land use there are a great number of conflicting interests to be considered. I really question whether deregulation does not mean the dismissal of the provincial watchdog, which should be there to see that provincial interests are also looked after. In the absence of an overall provincial plan we do need some sort of regulation over the local governments to see that provincial interests are protected.

There is a tendency, quite understandably, for local governments to consider mainly local interests; and local politicians, being very close to their electorate, tend to think of what their electorate wants rather than to consider overall provincial interests in all cases. Therefore, I question whether that objective would justify a new Planning Act unless there were adequate provision for protecting provincial interests.

8:10 p.m.

Second, with regard to strengthening the role of local government, I think all of us are in favour of that, but I very much question whether this bill really does that. It is true that it allows considerable powers of delegation of planning responsibilities to the local government, but if one looks at the fine print of the bill, one will see the minister has kept the powers very close to the vest and he can take away what he gives by withdrawing the delegation. Under section 47 of the bill, he can actually move into any municipality and do the planning for it. It is done entirely by the minister, without even cabinet approving the orders he makes under that section. There is no appeal from his decisions.

Also, the minister can move in and have a veto over municipal activities by declaring any planning action or any part of an official plan or a zoning bylaw—any part—a subject of provincial interest. When he does that, he can take over the planning functions and exercise them himself. It is rather like window dressing for the minister to say he is strengthening the role of local government in this bill if he should use the powers he has given himself.

One of the things we in this party are questioning is whether the powers given to the minister in this bill are not indeed excessive. We favour delegation of some planning functions to local municipalities, provided—and this is a big proviso—those municipalities operate democratically and are ready to assume the power. To do so, they must have no closed meetings. We have not yet got to that stage where all municipalities have open meetings for all committees. They should also provide adequate information to people wishing to question their decisions or to participate in the decision making.

We do not have a freedom of information act in this province, applying either to the province or municipalities. The governments should, of course, provide full opportunities for public participation at all stages of the planning process. While this bill does provide for a certain amount of mandatory public participation, it does not provide for public participation at all stages.

Finally, there must be a right of appeal from decisions made by local authorities. In general, that is provided through asking for referral to the Ontario Municipal Board. But the minister can set aside such appeals if he wishes.

Delegating planning powers to local authorities does not necessarily mean we are going to have provincial planning in which there is full public participation and full opportunity for the public to know what is going on, to find out what goes on in committee meetings that are closed and matters of that sort. Therefore, if we are going to do this delegating, we have to accompany it with legislation, making all our local governments as democratic as possible through freedom of information laws, open meeting laws and requirements for public participation.

I want to go on to some new concepts that are introduced in this bill. Some of them are definitely improvements on the former bill.

The first one is the definition of areas of provincial interest. This is in section 2, where eight areas of provincial interest are set forth. While this indicates the sort of considerations that should be taken into account by all provincial planning agencies, it cannot really be called an overall provincial land use plan, and that is what I think we really need: a plan that looks at our resources and our objectives and works out the best land use to achieve those objectives. Some of those objectives include the preservation of agricultural land, particularly prime agricultural land, and the development of transportation systems that will be energy efficient and will bring services to people throughout the province and not result in tremendous concentrations of people in a few centres.

These are the sort of things that should be in an overall provincial plan, but we do not have that, and the areas of provincial interest give us only a hint of what should be in such a plan. They include the protection of features of significant natural, architectural, historical or archaeological interest; the supply and efficient use and conservation of energy; the equitable distribution of educational, health and other social facilities. These are very important considerations that must be worked into any planning.

However, under the bill, the way the minister is going to do his provincial planning is by issuing policy statements on any area to which he would like consideration to be given in planning. There is no compulsion on him to issue such statements. There is no precirculation of such statements, either to the Legislature or to the public. The Legislature is not involved at any stage in either the preparation or approval of these policy statements.

Notice has to be given when a statement has been issued by the minister, but the form of

notice is left to his discretion. In effect, the statements become guidelines only. Government agencies and municipalities are requested to have regard to such statements. Even Ontario Hydro is asked to have regard to such statements, though it is basically exempted from the Planning Act with regard to its construction projects and its power lines.

There is no provision for periodic review of these policy statements or for updating them. We have had experience with policy statements in the past that were in the form of guidelines. The food land guidelines are supposed to preserve our agricultural land and develop our food industry so that we become more self-sufficient, but there are no teeth in them. They are not preserving our agricultural land; it is disappearing. Another policy statement issued by this government related to pits and quarries development. This came out during the hearings on the new aggregates legislation, which was being studied last year, and it was at variance with most of the clauses in that new legislation.

It would appear the ministry just proceeds on its own, without concern even for new legislation being brought in in this field. The Planning Act does provide that the minister will consult with the municipalities before he issues a policy statement and will consult with such other people he considers to have an interest. This gives him great power to pick and choose the people he will talk to about his policy statement. Even after the consultation, the people do not see an actual draft of the policy statement. It is not circulated prior to publication.

8:20 p.m.

Going on to official plans, which are part III of the act, in this bill we have a new definition of an official plan. I am not sure whether the minister thinks it is an improvement, whether he is trying to confine official plans to a very narrow area to avoid conflicts between groups that are affected, or whether it is to limit the extent to which an official plan governs the activities of a municipality.

I would like to draw the attention of the House to the change in definitions. Under the present act, " 'official plan' means a program or policy, or any part thereof, designed to secure the health, safety, convenience or welfare of the inhabitants of the area," and it goes on to talk about it consisting of texts and maps.

The new definition in this act says that " 'official plan' means a document approved by the minister containing objectives and policies

established primarily to provide guidance for the physical development of a municipality or a part thereof or an area that is without municipal organization, while having regard to such social, economic and environmental matters as appear to be relevant."

It seems to me that by changing the stress from a plan which is to secure the health, safety, convenience or welfare of all the residents, we are now going to have an official plan that is primarily concerned with the physical development of a municipality, which presumably is the bricks, mortar and roads. Considerations of a social, economic and environmental nature are something that one takes into account to the extent one thinks they are relevant. I think the concept should revert to securing the health and welfare of the inhabitants of the area.

Some people will say that then, every time one passed any bylaw, one would have to amend the official plan because every bylaw would affect the official plan. I think there is a happy medium between the two. One cannot really do planning for a municipality if one does not have an overall social, economic and environmental framework that one is planning to implement.

A new section in the act regarding official plans provides for a mandatory public meeting after an official plan has been adopted, but before it is sent to the minister for approval. I commend the minister for bringing in a mandatory public meeting and also a mandatory public meeting of the council to hear objections, including a section in the bill which says that any person who appears at such a meeting and wishes to speak must be given an opportunity to be heard. The present act has no formalized provision for public participation of this sort before an official plan is formally sent to the minister for approval.

However, after the meeting is held, it may be that there is a considerable number of objections to the official plan. In the previous act, people could ask that these objections be referred to the Ontario Municipal Board for adjudication. That was the safety net for citizens who did not agree with the official plan that had been worked out by the council.

There is still that opportunity in this new bill, except that the minister can refuse the referral under two conditions: if he decides that the referral "serves no useful purpose," or if he thinks the referral is "for the purpose of delay." This gives the minister a very great power to deny that safety net to people who object to the official plan. They cannot have an impartial

body consider their objections and give them a public hearing, which had happened in the past when a plan was referred to the Ontario Municipal Board. This is a weakness in the opportunity for the public to have a final say in the decision making.

With regard to zoning and general kinds of land use controls, we find somewhat the same situation. In this area the minister may delegate his authority to any municipality to approve zoning bylaws and land use control bylaws. In fact, section 4(1) says he may delegate this authority to any municipality, although in his speeches he has indicated he would limit this delegation to municipalities that have an official plan and have planning administration machinery in place.

We already have delegated such authority to regions, and the municipalities within the regions are subject to the regional plan, but this is going to extend this delegation to cities outside regions, towns outside regions and even townships outside regions. In fact, the legislation really says he can delegate this authority to any municipality.

I think it should be spelled out. If he is intending to limit this delegation to those with planning machinery and official plans, the bill should say so. I think it would be quite an incentive for municipalities to develop adequate planning machinery and plans if delegation of authority were limited to them. I think it would really be somewhat dangerous to delegate planning authority to municipalities that do not have an official plan, because then the decisions would be made merely at the whim of each council and the councils would be subject to great pressure from local interest groups to authorize developments that may not be in the interests of all the residents of the area.

It may be, of course, that by this delegation the province does not really want to increase local autonomy but is ducking out of very difficult decision making where there are conflicting interests. The province has decided that it would rather let the local government decide between conflicting interests and handle the hot potatoes. This may be understandable, but I think the province must continue to see that any planning that is done is good planning and that provincial interests are protected.

8:30 p.m.

In addition, there must be the safety net of referral to the Ontario Municipal Board by people who feel that the zoning and land use laws are not fair to them. Once again we have

the situation where the minister may refuse the referral to the Ontario Municipal Board if he thinks it would not serve a useful purpose or would be a delaying action.

The minister may, of course, declare any item to be a matter of provincial interest, which presumably is the way he protects the overall interests of the province after he has delegated this authority. However, when he does that, the role of the Ontario Municipal Board is sharply circumscribed. It is no longer the safety net for people who feel their rights have been abridged, because once the minister has declared it a matter of provincial interest, the whole procedure is really through the minister and the cabinet. The Ontario Municipal Board may be involved to hear certain issues that are referred to it by the minister, but it only makes recommendations. It does not make a decision in this case; the decision is made by the minister and ratified by the cabinet, and there is no appeal from that.

I think this indicates, really, that the so-called autonomy that is being granted to the municipalities is very circumscribed. The minister can take everything back by simply declaring something of provincial interest, and have it entirely decided by him and the cabinet.

Another omission from the legislation is that there is no statutory requirement for joint planning. It is possible, of course, for municipalities to get together voluntarily and do joint planning. I gather that the two thirds majority that was required in cases where there was voluntary joint planning has been eliminated. This is, I think, a weakness in the bill. There should be encouragement, and a statutory encouragement, for municipalities to get together for joint planning where their interests overlap.

With regard to the zoning bylaws, the public participation is somewhat defective. It is true that no zoning bylaw can go to third reading before a public council meeting is held, and notice must be given to the public that this is happening and that a zoning bylaw is about to be passed. After the public hearings are held and objections have been registered, the objector can ask for referral to the Ontario Municipal Board, but the Ontario Municipal Board can reject the objection "if the objection is insufficient in its opinion." It seems to me this again is denying the safety net of the Ontario Municipal Board to people who feel the zoning bylaw has infringed on their rights and who wish an impartial hearing by a quasi-judicial body such as the OMB. As I think I already mentioned,

here too the province can reduce the OMB's powers by declaring the zoning bylaw a matter of provincial interest.

There are some other considerations we should look at very carefully under zoning. An interim control bylaw is allowed to freeze the situation pending study of land use proposals, but new restrictive time limits have been placed on such interim control bylaws. An example of an interim control bylaw is the 40-foot bylaw imposed by the city of Toronto a few years ago to put a hold on planning until they sorted out how many office buildings they wanted in downtown Toronto and how many residential developments in different areas within the downtown core.

The restrictive time limit that has been put on interim control bylaws is one year, with the possible option to extend for a further year. If an interim control bylaw has been used, it cannot be used again for a further period of three years. This greatly restricts a municipality's power to use things like the 40-foot bylaw to slow down development until they take a look at it. I think it is undesirable to restrict their ability to slow things down. We found in the city of Toronto there was a greater difference in the final outcome of the hearings following the 40-foot bylaw than there had been before it was put on. There is an appeal to the OMB when an interim control bylaw is put on, but no prior notice is required to be given to the citizens. They find out after it is on and then they can appeal it.

There is also a new section under zoning regarding what is known as an H designation, which is another form of holding bylaw. No public hearings are required on an application to remove a holding bylaw. Notice must be given to the public but that is all. An H designation could be used in the case of a heritage property or if there is some other reason why the land use should not be changed for a period of time.

Another deficiency in the zoning section is that there are no demolition controls as far as I can see that would prevent the sort of thing that is happening in Toronto right now where quality housing is being demolished to provide space for the building of luxury housing. We are losing good affordable housing in order to provide opportunities for building luxury housing that will not be subject to rent control. The people evicted when these demolitions take place are finding it more and more difficult to find affordable housing in Metropolitan Toronto.

8:40 p.m.

As a result the squeeze on the market for affordable housing in this area is growing every day. There are more and more cases where people with children are being discriminated against because there is such a squeeze and the landlords tend to take people without children. It is a sad situation. Just the other night we read in the paper of a mother and daughter who were living in a nine feet by 11 feet room and had not been able to find anything more suitable.

Going on to the powers of the minister to act on his own in the case of zoning and some subdivision control, it would appear under section 47 the minister has a right to move in and pass zoning orders in any municipality. It does not say in municipalities that do not have zoning bylaws or do not have official plans. It just says in any municipality in respect of any land in the province.

He can move in and pass zoning orders with no requirement for public notice or hearings. This is specifically exempted from this section. There is no requirement for cabinet approval. The minister simply acts on his own and there is no appeal from his decision. I think section 47 should be looked at very carefully. I would hope to see some amendments to it before this bill is adopted.

Section 48 is another Draconian clause in the bill. A utility of any kind, such as gas, hydro and, apparently, water, is not allowed to provide services to any building which is in contravention of section 47. That is the one I just mentioned where the minister can put a zoning order in any municipality in respect of any land.

One might say this is a neat way to enforce their orders. One just cuts off all the services so that one has no problem obtaining compliance rather quickly. This Draconian power of using utility services as a weapon also applies to orders under section 46 which relate to mobile homes. If any mobile home is in violation of orders under section 46, the services can be cut off.

I am not entirely satisfied with the protections in the present act, either for the public to make their objections to both official plans and zoning bylaws or with the amount of autonomy the minister is really giving to the municipalities.

There are a few other miscellaneous sections I would like to draw attention to as well. Section 7 authorizes the minister to "make grants of money to assist in the performing of any duty or function of a planning nature," and to do so "out of the moneys appropriated by the Legislature." The minister can be Santa Claus, if he wishes,

perhaps to facilitate or to encourage a municipality to adopt certain planning policies or to assist two municipalities to get together.

I do not object entirely to incentive grants but I think this section is much too broad. It is not clear whether the estimates of the ministry will include itemized moneys to be appropriated for specific grants, or whether there will simply be an entry of \$500,000 or something like that for grants for the minister to hand out as Santa Claus. I think that section should be very much restricted, that any proposed grant should have to come before the Legislature as an individual grant and not through an unspecified fund the minister can dip into.

There is no provision in the act, as far as I can see, for public funding of citizens groups who appear at hearings before the Ontario Municipal Board or at public meetings to discuss official plans or zoning bylaws. Some of them may have to travel considerable distances, some may wish to hire experts to represent them in complicated cases, but there is no provision for public funding of that sort.

If we do not want a David and Goliath situation in our public planning, it is high time the government recognizes we must provide public funding for citizens groups to assist them to present their case adequately so that the powerful interests they are opposing are not the only ones who have a voice heard, and heard adequately, at these hearings.

Getting on to the regulation section, section 71, the Lieutenant Governor in Council may make regulations in six areas. Subsection (c) gives very great powers to the cabinet. In this respect subsection (c) says, "prescribing for the purposes of section 69, standards for the development of municipalities, which standards may vary according to population, geographic location or otherwise."

Section 69 says that municipalities may formulate standards in order to implement planning policies. By standards, they mean standard lot sizes, road allowances, minimum or maximum house sizes. There is a great deal of power in this section; it can affect the living pattern for practically all residents of any municipality. It is really much more than subdivision control. It gets into details of the individual buildings in the subdivision. If we are going to have that kind of standard setting, regulations must be pre-published and people must have an opportunity to examine them and discuss them before they are promulgated.

The pre-publication of regulations is becom-

ing adopted by the federal government in certain areas, particularly environmental areas. I see no reason why it should not apply to regulations of this kind which will set standards that can have very great effects on people's lives.

I would also like to comment on the exemption of Ontario Hydro from the act. Except for land and buildings owned or leased by Hydro for administration and retail purposes—presumably that includes the building across the street—any other Hydro undertaking is not subject to this Planning Act unless the same undertaking is also not subject to the Environmental Assessment Act. The theory seems to be that if a Hydro project is subject to the Environmental Assessment Act all the planning considerations relating to it will be taken into account through environmental assessment hearings. That would be a reasonable assumption except the Environmental Assessment Act itself allows for very broad exemptions, and most Hydro projects have been exempted from the Environmental Assessment Act in the past 10 years. Darlington is an example; it is not subject to the Environmental Assessment Act.

8:50 p.m.

So in effect, Hydro is being exempted on the false premise that all of its projects will be subject to an environmental assessment under the Environmental Assessment Act. But that is not what this law says. It simply says if a Hydro undertaking is subject to the Environmental Assessment Act, which can exempt it, then it is not subject to this act.

With the combined hearings legislation we passed in the spring it seems to me there should not be concern about the problem of having two hearings on a Hydro project under this act and under the Environmental Assessment Act if the project is considered to be covered by environmental assessments under that act. So I really question the exemption of Ontario Hydro. I think the government is simply protecting its baby in this respect and letting it go its own sweet way. We have found in the past that has not always resulted in the best land use or the most energy-efficient development in this province.

Mr. Speaker, I have enumerated a considerable number of areas where I think this act is defective, so you are probably coming to the conclusion I am not going to support the act.

To sum up, the main reasons I think this act should not be read a second time but should be referred back to the minister with instructions

to redraft it are: the act does not have adequate opportunities for public participation in making planning policy and decisions; it does not provide for adequate input of the people into the development of provincial policy statements; it does not ensure the preservation of agricultural land, which, I think, should be a major provincial interest and should be carefully safeguarded by legislation of this sort; and it does not provide adequate appeal procedures at all stages of the planning process.

Finally, I feel it provides much too broad a discretionary power to the minister and this power should be spelled out in a much more limited way in this act. If he finds he needs additional powers he can always come back to the Legislature and spell out exactly what he needs.

So for some of these reasons we have decided we will not support the bill. We will be bringing in amendments on a considerable number of the points I have mentioned, and after we have had public hearings on the bill, as I hope we will—I hope it will be referred to a standing committee so we can have public hearings and see whether other people in the province share our views—then we will decide whether the bill as amended by the committee is worth supporting on third reading.

Mr. Nixon: Mr. Speaker, I find it almost incredible the New Democratic Party has decided not to support the bill when its basic premise puts the responsibility for planning in the hands of elected politicians. In many respects, as well, it takes away the appeals to cabinet that have been so much of a concern for those of us who have watched the Minister of Agriculture and Food (Mr. Henderson) move from his rather lowly position as the member for Lambton to a senior cabinet position on the very basis of engineering these special appeals to cabinet.

I cannot imagine what arguments the member for Riverdale (Mr. Renwick) used to persuade his colleagues to go along with his contention that the bill should be opposed. I suppose it was attrition, which is his principal argument in these matters. However, the great New Democratic Party has decided to oppose a bill that really is, in principle, an attempt by the government at least to modernize the planning procedures in the province.

We have had the promise from the minister who is carrying the legislation that this will be reviewed extensively by a committee meeting in the winter recess. So there will be ample opportunity for any citizens who might possibly

agree with the member for Beaches-Woodbine, unlikely though that may be, as well as those who are knowledgeable about planning matters, to come in and assist us in our attempt to perfect the legislation before it returns to the House next spring for final enactment.

My comments do not indicate that I believe it is perfect by any means, but I can tell members that any attempt to get away from a succession of appeals to cabinet is one thing I really must support. I have felt for the last three years, ever since the Minister of Agriculture and Food emerged from his cocoon and became the butterfly of cabinet appeals and the engineer of these appeals, that even the most minute severances objected to by Tory land holders in the hinterland have been a matter of urgent and immediate concern by the whole cabinet as they meet Wednesday after Wednesday. I have a feeling he leads the agenda of cabinet by bringing to his colleagues' attention any repairs the present planning system might require for the good of various supplicant Conservatives who approach the cabinet through the Minister of Agriculture and Food.

The greatest omission I feel is apparent in this bill is the absence of a plan for the province. I believe we have been remiss in our responsibilities for the last two decades in that we have not been able to tell those people who have planning responsibilities at the municipal and local levels what we as a Legislature envisage for the planning of the overall development of the province itself. Ever since John Robarts decided to leave politics and go into the various boardrooms of industry and finance there has not been any kind of planning voice in the councils of government.

Those people who remember Mr. Robarts's leadership here will recall his policy statements. There was a series of them, all named Design for Development, which attempted to set out a plan for the development of the province. His major disciple, the former Treasurer, Darcy McKeough, attempted to impose a provincial plan on the municipal authorities by indicating to them from time to time what his own view was on the development of various regions of the province.

At one time, members may recall, the decision was made that any further development in Ontario should be east of Toronto. That plan was unfulfilled because of a number of objections by the government to federal policy, which might very well have assisted in developing that concept for the development of the eastern part of the province. The only other part that has

suffered because of Conservative policy has been the development of northern Ontario, which does not even have Dash-7 service to Kapuskasing and Moonbeam.

9 p.m.

In the absence of a plan for Ontario, I believe much of our effort at development has been, if not completely wasted, at least misdirected. My own view has been that the basis for such development should have been on the sources of electrical energy, atomic and otherwise, which over the last 15 to 20 years have really been of world class. We know the atomic development in the Bruce Peninsula is unsurpassed in size and scope—and cost—anywhere in the world, even those countries which are centrally planned. The coal-fired electrical station in Nanticoke is the largest in the whole world.

We are now borrowing money to build a new atomic station in Darlington which will even surpass the Bruce station, which up until now has been the largest. Among many of the largest-in-the-world lists we could raise is the fact that these stations are producing an excess of power—well beyond what the province could use if we turned on all of our Christmas tree lights at once.

As a matter of fact, the maximum peak load over the Christmas season and the high peak load in January is estimated to be about 17,000 megawatts. At the present time, we are capable of producing 27,000 megawatts, and we are paying for this additional supply of power with dollars borrowed in New York at upwards of 15 per cent over the last number of years.

To talk about planning, my own feeling is that the commitment for the production of huge amounts of electrical power should have been the nodal points for a plan for the development of Ontario. Whether or not we question the judgement of the then government in establishing the Pickering plant, which is one of the largest and most efficient atomic plants in the world, so close to the city of Toronto, still much justification could be given for using the electricity produced at the array of atomic plants we have built close to the plants themselves.

I understand there is a plan in the works which will use waste heat from the Bruce atomic plant for the development of certain under-glass agricultural enterprises. There is even a rumour that some people, versed both in agriculture and politics, may have something to do with the administration of such a proposal. The idea is a good one. It certainly finds favour with me.

I have often felt the more electricity we could use close to these plants the better. In this way we could have some effect on the growth of our major urban centres. Now that we have found the population of the province has not only plateaued, but in some areas is actually declining, the pressures for the control of growth and the planning of that growth have been mitigated to a great extent.

It does not seem too many years ago when the former Treasurer of Ontario, John White—it is interesting to note his former campaign manager is waiting in the wings here tonight for another bill that may be coming forward a bit later, assuming that this bill carries—was probably the last visionary we had in the seats of the cabinet of the province. He was the one, in the days when the demographers were predicting extensive growth in the population, who decided the present urban areas of Metropolitan Toronto, Hamilton, London and Windsor should have the pressure removed. These new populations would go out to a number of new communities that would be established on the shores of Lake Erie.

Frankly, I am quite relieved the population pressure predictions made in those days by the employees of the Treasurer and Minister of Economics have now been found to be completely incorrect and misleading. We are still paying the price for the incorrect advice the Treasurer received in those days, but the concept was an interesting one. It really was the fruition of John Robarts's attempt to establish a plan for the development of Ontario.

To give him credit, I felt he was very unwilling to direct any community as to what it had to do to fulfil any proposed provincial plan. But the general direction of population growth, the designation of certain urban centres as industrializing centres, were things I feel were not only acceptable, but sensible. For us to be considering now, as we are in Bill 159, an entirely new approach to the philosophy and mechanics of planning in the province seems, to me to be inadequate, unless we as a Legislature are prepared to tell our municipalities what we believe the directions of growth and development should be.

In other words, the whole planning of our province seems to me to be a very shaky edifice, because it is lacking the cornerstones of the provincial direction I believe we were elected to give. More specifically, I for one am very glad indeed that the basic responsibilities for planning decisions at the community level are going

to be taken by those members of municipal councils who are elected. The very best remedy for planning decisions taken locally that are not acceptable to the people lies in the ballot box.

Although the Minister of Municipal Affairs and Housing has indicated he intends to extend the municipal tenure to three years, which is longer than the provincial tenure on average, the people at the local community level still can have an input in planning decisions made much more effective by the process of democracy. Establishing the Ontario Municipal Board as a court of appeal is something I have always felt was quite appropriate. I have a great deal of confidence in at least some members of the municipal board, who have had extensive experience in this very House and know the sensitivity and great background necessary for the kinds of decisions arrived at by the municipal board in its deliberations.

All of them, as far as I know, are very much committed to the kind of public input that would, in the long run, affect the decisions they will be called upon to make in the future. It is obvious that the responsibility of the municipal board is going to be increased in this connection, although I notice the ministry can always indicate that a certain decision is going to have province-wide ramifications and thus can step in at will to vary or reverse a decision made by the municipal board that it feels is inappropriate for any reason.

I certainly recall the report made by the royal commissioner, former Chief Justice McRuer, on similar matters. It was his contention, and one I always felt made a good deal of sense, that in the last analysis elected people have to make the final decision and bear the political responsibilities for those decisions. It is on that basis I support the principle of this bill, which puts the original responsibility on the elected representatives at the community and municipal level.

It is for the same reason that I feel, in the last analysis, that when the government of the day, however inept, indicates it must make the final decision on a planning initiative of some scope, while I can object to that on the basis that its judgement might be bad, I cannot object to it on the basis that it should not have the final decision. I am sorry my syntax is so heavy in that regard. What I really mean is, in spite of the fact that for the last 38 years the Conservative government has shown a certain insensitivity in making these important decisions, still I am prepared to fight for its right to make the decisions as the government of the day.

It is then responsible to the people under our democratic system to justify the efficacy and justice of those decisions. It is a mystery to me that it has been able to justify successfully the efficacy and justice of those decisions, but those days are rapidly coming to an end.

9:10 p.m.

I say again that I am disappointed the House in general is not going to be supporting the bill, which in its major intent is an attempt to improve the sensitivity and appropriateness of the planning procedure. It almost flies in the face of the democratic approach we should be taking here. This framework at least is going to be sent to a standing committee for an extensive review, whereby all of us as members can attempt to perfect this slightly flawed piece of legislation.

I believe we will be able to improve it during the course of our deliberations over the next few months. I have no hesitation at all in supporting my colleague the member for Waterloo North, who has indicated we intend to support the bill in principle.

Mr. Swart: Mr. Speaker, I want to make a number of comments on the principle of this bill. I will try not to be terribly repetitive and repeat all the excellent presentation made by the member for Beaches-Woodbine and the real contribution made by other members in this House.

I must reiterate and concur with the comments made by the member for Beaches-Woodbine, the member for Waterloo North and I think by others who condemn the Minister of Municipal Affairs and Housing for not being here while this bill is being dealt with. I thought since he was not here this afternoon, he would at least be here this evening.

Surely all of us in the House, and I would think the minister himself, would recognize this is a most important piece of legislation, at least on the issue of municipal and provincial planning, and this is intended to incorporate both. It is the only document, it is the first new bill in this regard in a decade, yet the minister who has responsibility for this matter is not in the House.

That is no reflection on his parliamentary assistant. I know from his years in municipal life he probably knows more about it than the minister does. However, when we have a bill of this importance before us, it would seem the minister should appear in the House. He is almost being contemptuous of the municipal people, of the 850 councils across this province,

when he does not deem it necessary to be in the House to give direction to a bill that is this important to them.

I recognize the whole matter of planning is in some respects a difficult one, whether one is at the municipal or provincial level. Land use planning by its nature restricts what people want to do with their land and with their property. They cannot do what they like with it. Therefore, there is substantial resentment by people who feel they are adversely affected by the planning laws and planning regulations.

I recognize also that adequate planning is most beneficial to the generations of the future—perhaps this generation as well, but certainly other generations of the future—so there are not many votes in it in a sense at the present time. One does not get a great many votes for planning for the future 20 or 30 years down the road. That also makes the implementation of adequate planning somewhat difficult.

There is the difficulty of who shall make the determination on planning matters. Shall it be the province? We all recognize that there should be a very substantial provincial presence in the whole planning field. In fact, it is really their obligation to set up the framework of land use planning for the province and determine, as the member for Brant-Oxford-Norfolk said, where growth should take place within this province and what kinds of growth should take place in various areas.

There is tremendous jealousy among the local councils and they will not want to be interfered with in what they want to do in their own municipality, so it is difficult to draw the line between local planning and the provincial planning spheres. All of these factors make it very difficult to do planning, and I am the first one to admit it, but they do not give the right for a government, whether it is provincial or municipal, to opt out of those responsibilities.

I say immediately that I have mixed feelings about this bill that we have before us, this new Planning Act. It is really an amendment to the old Planning Act, a pretty substantial amendment. I am sure they brought it in as a new act for technical reasons more than any other. I suggest this bill is better, perhaps fairly substantially better, than the old Planning Act. Perhaps I should rephrase that: there is a possibility that it could be better under this bill, under these proposals, than the existing Planning Act.

But I also must say that the opportunity to

bring forth a land use plan that would set priorities to benefit this and future generations has been missed.

Mr. Piché: Oh come on, Mel.

Mr. Swart: It really provides, as the member for Cochrane North well knows, no overall provincial plan. In fact, the plan we have before us really provides no priorities.

Many of the improvements have been mentioned by my colleague the member for Beaches-Woodbine and the other members who have spoken. One improvement is that for the first time it does provide that provincial presence—the right of the province to intervene where it feels there is a provincial dimension to the planning. For instance, I am sure the field of the environment is an area where the province should intervene on planning matters.

The preservation of our prime agricultural land is a provincial responsibility, as is the equitable share of social facilities. Here we get into a great variety of homes, such as homes for those who may have been released from mental institutions. There is a provincial responsibility there to see that communities accept their share. The possibility for this is provided in this bill that we have before us at the present time.

I am sure that none of us who have been in municipal life think for one minute that the local municipalities can in an effective way implement the policy for preservation of our best agricultural land. That has to be done at the provincial level. Unfortunately, that cannot be left to the regional municipalities because, and perhaps rightly so, they are interested in what is in it for them in their particular municipality. Their particular interests may not be the provincial interests or the long-term interests of this province.

Unfortunately, although it is provided in section 2 of the act that the minister will have regard to these matters I have spoken about, there is no indication that he will intervene. Of course, what bothers me about this section 2 is that it really does not set up any priorities whatsoever. He may take a look at these things, reject them and do as he sees fit. Many of the acts do set up priorities, and perhaps I will quote from one or two in a few minutes. Even some of our own acts in this province set forth the purpose of the bill and the priorities in the bill. This is not done by the new legislation we have before us.

9:20 p.m.

I think the bill does provide for a greater degree of public participation in the decision-making process. First of all, as my colleague the member for Beaches-Woodbine and others have mentioned, and as I believe the parliamentary assistant mentioned when he was speaking, a municipality may not pass a zoning bylaw. I would like him to comment on whether they can pass amendments to the zoning bylaws without a public meeting; it does not make that perfectly clear.

Nor can they pass amendments to official plans without having public meetings before they are finally passed. That is a great improvement, let us make no mistake about that. When a municipality must consult the people affected in that municipality before they pass a bylaw, it is a good move, and there is no denying that.

Second, it provides that a municipality must review the official plan every five years, not just by themselves but at a public meeting. That too is commendable, and it is a very substantial improvement over what we had before.

It may be a two-edged sword or two sides of a coin, but the determination that planning boards will not have any statutory power certainly has a good side to it. It will be the elected representatives in the municipality who will ultimately make the decisions with regard to planning matters, although there are planning advisory committees in the north, and perhaps elsewhere there is provision for joint planning boards under the bill we have before us.

I also like the idea that most matters will not be appealed to cabinet. I think there is a very practical point to this: no cabinet that is conducting the affairs of the province really has the time to deal with hundreds of what may be very small matters. They may not be small to the individual, but in the context of the general administration of this province they are very small, and the cabinet does not have the time to deal with them. No cabinet can know both sides of that story when they make decisions, so it is going to be made on the recommendation of the minister or of officials in any event.

I think it is the job of any government to set up the general policy, to set up the general framework, to intervene at the Ontario Municipal Board hearings if they feel there is a provincial interest; and in many of them there is. But when it comes to overturning the OMB, when it comes to the final decision, it seems to me the OMB should act as an arbitration board and make the final decision. This is not to say that the government should delegate authority to the

board, because, as the member from Cochrane North knows, it is government responsibility to set up the general framework and the laws, but where a decision has to be made on very fine points, on evidence that is given, it should be made by an arbitration board. We handle many things in this province and in government in that manner.

The bill we have before us also makes another very substantial improvement, which is that it provides the machinery whereby the local official plan can and must be brought into conformity with the regional plan. The regional acts we have in this province at the present time provide that a local municipality must bring its official plan into conformity forthwith after a regional official plan is passed, but they do not provide any machinery for it. The fact is that local municipalities do not want to bring it into conformity. The official plan or local zoning bylaws in effect are no way of doing that. This does provide for that machinery in, I guess, the only reasonable way that it could be provided.

I am very pleased that the framers of this bill and the advisers whom they had—I guess the municipalities were the prime ones—rejected development control as the main means of planning. This was played around with and toyed with in a lot of areas, not just in this province but elsewhere, and particularly in the United States. I suggest it is not a very effective way of doing any permanent planning. When you have development control, it could be changed from one year to the next, and no property owner knows exactly where he stands with regard to what development is permitted on his property.

The act has gone some way towards establishing conformity of time periods with regard to appeals and that sort of thing. It is an improvement over the old act. Also, penalties are increased and I suggest that is rather important too. If we mean what we say in official plans and in zoning bylaws, there have to be substantial penalties rather than just a licence to break those laws.

The minister's power to withhold or direct referral is changed. I am not quite sure whether that is an improvement or not. At the present time, if an official plan or a zoning bylaw is submitted to the minister, he may refer it to the Ontario Municipal Board; but if he is requested to refer it to the Ontario Municipal Board, he must refer it unless he determines the request is not made in good faith, is frivolous or is for the

purposes of delay. Those are the only three grounds on which he may refuse to refer it to the Ontario Municipal Board.

That has been changed, and there were some substantial reasons for changing it. In fact, I submitted a private member's bill to make the change in that part of the legislation myself, because we had just come through a \$2-million hearing on the urban boundaries for the Niagara development plan in the Niagara region. The hearing actually lasted some three years, although only a little over a year of time was actually spent. I say only a little over a year of time; it was the longest and the most costly Ontario Municipal Board hearing in the history of this province.

I was pleased last August when the cabinet confirmed the Ontario Municipal Board's decision. However, within 41 days, the city of Thorold decided they wanted to go after something again that they had not got in these lengthy hearings, and passed a resolution to ask the minister to include another 545 acres. This, of course, would have opened the whole hearing up again and perhaps cost another \$1 million or \$2 million immediately after a decision had been made.

Ratepayers of municipalities should not be subjected to those kinds of costs, so I moved a private member's bill which would have permitted the minister to refuse to refer a request to the Ontario Municipal Board for amendment of the official plan if it had been dealt with in recent times. In the bill we have before us here it says "the minister determines it serves no useful purpose," or he may decline to send it to the Ontario Municipal Board if the request is for purposes of delay. I am not sure whether it is the appropriate alternative.

What is no useful purpose? It seems to me that if they had added that clause, which I introduced in my private member's bill, they would have had the specific reason he should not refer it to the OMB. I do not know how he will determine what is no useful purpose in referring to the OMB, and we will probably have an amendment to that.

9:30 p.m.

The section on community improvement is much more comprehensive than it was in the old act; therefore, I am supportive of that. Having made those comments, I must now deal with what I think are the very real shortcomings in this bill.

These comments, of course, will be much longer if I am going to deal with all of those. I

have some reservations about the delegation of any powers of the minister under this act. It is not the intent under this act, I believe, to delegate any powers of the minister to a municipality. The minister has stated, and I think I am right in stating his parliamentary assistant has given assurance, that they are not going to delegate authority to a local municipality to create its own official plan and approve its own official plan. I am sure he will agree that is not going to be done; however, it could be done under this bill, could it not?

If he means he is not going to do that, then some senior body with an overview is going to have to do that. Surely he should say it in the bill, because in fact a municipality could ask for approval. Even a municipality of only 2,000 or 3,000 people could ask for approval for its own official plan to delegate authority, and its own zoning bylaws. I am sure that is not the intent, as he has already said, but that has to be in the act. We can only judge the act on what it says. We cannot judge the act on what a parliamentary assistant says today or what the minister says tomorrow.

Mr. Rotenberg: Support the bill and then come to committee.

Mr. Swart: It will get to committee. He has a majority, he does not have to worry about that.

Mr. Bradley: René is going for a ride in Bud's limousine.

Mr. Swart: René will not get half the ride the people of Ontario are.

Mr. Piché: That is not fair.

Mr. Swart: Whether it is in the jet or whether it is in a STOL, the people of Ontario will be taken for a ride like they have never been taken before.

When it comes to committee, we will be moving amendments to that section of the plan.

Another objection we have, and I think it is reasonable, is that local municipalities are permitted to have plans which can be totally independent of neighbouring municipalities. I can remember municipal life 30 years ago when a government official—unfortunately, he had the same stripe then as he has now—came into our—

Mr. Epp: I did not know you were that old, Mel.

Mr. Swart: I know, I do not look it.

Mr. Bradley: You were only 15 then, Mel.

Mr. Swart: —came into our municipalities and told us the tremendous importance of

having a planning board which overlapped municipal boundaries. It does not make any sense, he said, to let one municipality prepare its own plan, and right next to it have another municipality preparing its own plan, with not necessarily any co-ordination between them. Yet this bill permits that, at least in southern Ontario. It treats northern Ontario somewhat differently; they must have a planning board, but it may overlap into other municipalities and the minister will have the power to enforce that.

However, for the rest of Ontario, the bill leaves it up to the local municipalities to decide whether they want to or not. The member has been in municipal life long enough to know that not all local municipalities that exist side by side are on the best of terms and can agree on all matters. Therefore, it seems to me there should be some provision in this act for co-ordination of the plans of two or more neighbouring municipalities.

I also have some reservations about the delegation of land severances to the local committee. It is fine, and I suppose easy, to set up overall plans, regulations and guidelines. That is the responsibility of the provincial government and the local municipalities in their particular sphere because it covers the whole municipality or covers the province, but when it comes to having to make what are often the individual decisions under that and to say to one person that even though it may be contrary to the overall plan they cannot do this, it becomes very difficult for municipal people. Frankly, they often just do not do it. From the political facts of life, it does not happen that way. When there is a land division committee on an area basis, such as there is in a region like the regional municipality of Niagara, there is not so much breaking of the general policy.

Since the regional municipality of Niagara was formed, the number of consents on land divisions has been cut to about one third of what it was before. If that had been left with each local municipality that would not have been the case. The land division committee was a regional committee which had an overview, and what it did in one area, it would have to do in another area. They set the precedent and therefore followed the overall plan for the region. That is one of the areas of success in the planning of Niagara, perhaps the only area of success. So we have some very strong reservations about that, particularly for those municipalities which are in counties and regions.

Another matter that bothers me in this bill,

and it was true of the previous act, is that if an official plan is referred to the Minister of Municipal Affairs and Housing, and requests are made to refer part or all of it to the Ontario Municipal Board, those who have a real concern about that have no indication of what he is going to do. They do not know whether they should put in another counter-application, or whether they should not, because they do not want it to go to the Ontario Municipal Board if the minister is going to make a decision favourable to them. If they are not sure, they will put in another counter-application, so some matters get referred to the Ontario Municipal Board which otherwise never would have been referred to the OMB.

Let me give members an example, again from the Niagara region where, after this regional plan had been approved, the city of Thorold was to make this application to open it up for the inclusion of another 545 acres of unique land within the urban boundaries. The Ontario Municipal Board itself had said in its ruling that if there was to be additional unique land put in any given area an equal amount should be taken out of another area. What is the position of those who were concerned about preserving that unique land if that request had been made to the minister? It never got that far, and I think it may be stalled temporarily.

Should they ask for some to be taken out even though the minister might have rejected that? If they make an application that it be referred to the Ontario Municipal Board to have some taken out, then we have an OMB hearing. It seems to me that within this bill we should have a provision for the minister to announce his intention of what he will do perhaps 30 days ahead of time, so the people would know and then they could determine on the basis of some knowledge whether to make a request to the Ontario Municipal Board.

As mentioned again by my colleague, this act does not apply to properties owned by Ontario Hydro, and we think it should. There may have been some justification under the old Planning Act that it stalls the process. Anyhow, it does not seem reasonable that one municipality should be able to block a Hydro line, for instance, by an amendment to its zoning bylaw as it then existed.

9:40 p.m.

But now, under section 2 of this act, the minister has the power to declare such matters, on which submission can be made to the municipal board, of provincial interest. This is a

matter of provincial interest where the cabinet has the final decision. With that clause in there, surely the property owned by Hydro should also be subject to the provisions of the local official plans or the zoning bylaw as finally determined by the municipal board, and by the cabinet in this case.

There is no public funding provided in this bill, as there should be if there is going to be any equality in the battles that inevitably take place between developers and the public—and that is where most of the battles take place. Often the developers are joined by the municipalities, but it is the public who generally defend the public interest and have to defend their own concerns. Again, if I may use Niagara as an example, it was officially estimated by the planning department there that over \$2 million was spent by all sides for that hearing. Those who fought to preserve the land spent just under \$150,000. The remaining \$1,850,000 was spent by the municipalities and the developers.

It may be said the final decision was more pro-preservationist than pro-development. But the fact still remains, if there had not been those interested people, if they had not been willing to fund that battle primarily out of their own pockets—although the government did come in and give them some assistance under the section that provides for public funding for legal cases—that land would largely have gone, because the municipal board makes a decision on the evidence before it, and that evidence would not have been there if those people had not been willing to be involved. I know one individual there who gave more than \$2,000. Several individuals gave more than \$2,000 towards those hearings out of their own pockets to look after the public interest, to defend what the government said it was going to do. Yet in the bill there is no provision to provide that kind of equality.

What bothers me even more about the bill before us is that it does not require that the counties that cover much of Ontario—regional levels of government have it in their specific acts—do any planning. Throughout most of the democracies of the western world, for decades there have been requirements that the counties or the regional governments develop official plans for their areas. Yet here we have this ignored again in, as I said, the first new Planning Act that has been before this House in decades. This is ignored, and it means within those areas there is no overview. There is power to refer all these matters to the local municipalities over

which the minister has authority, but there is no requirement to have that regional overview with regard to planning. We in this party think that is absolutely essential if there is to be adequate planning within this province.

What makes the bill unacceptable to us is the lack of a provincial plan. It was promised by this government from about 1973 to 1976 that there would be a provincial plan established. From then on, they started to back off. Bad enough that they backed off from the idea of the provincial plan which was just so essential for the development of this province, but instead they have provided in the bill for a bunch of policy statements; they will be the guide for the planning development of this province.

We do not know when, if ever, we are going to get all of those policy statements. We do not know what all of them are. There may be two, there may be three, there may be four, there may be a dozen. According to this bill, those can be developed in secret, and I should point out that pattern has already been set.

How many people in this Legislature know that when the hearing was taking place on the official plan for the regional municipality of Durham, there was a letter sent to the Ontario Municipal Board enclosing an aggregate policy for the province. The letter, and I have copies of it, stated that this plan had been developed some 16 months before this hearing but no one outside of the Ministry of Natural Resources apparently knew anything about it. It was sent there as government policy to that hearing.

I have here the comments of the Ontario Municipal Board with regard to that policy plan. This is the decision which they made and brought down in 1980 over the Durham regional plan, and what I am about to read refers to this until-then secret document which had been developed in the Ministry of Natural Resources and was presented at the hearing as the 10-point policy with regard to aggregate resources and how they should be incorporated in an official plan.

I quote, "The board accepts this document as a statement of binding government policy and agrees that the regional plan should reflect the policies approved by the cabinet in preference to those originally proposed by the region."

Incidentally, the letter which accompanied it said it had been approved by the cabinet some 16 months in advance of being presented, but no one knew about it. Is that the way policy statements are going to be developed now? These policy statements are the most important

part of the whole planning system in this province. I do not think there can be any doubt about that.

Whether agricultural land is going to be preserved; how we are going to treat the environment; whether aggregate resources are going to take priority over preservation of the escarpment and many other environmentally sensitive areas of this province: those are going to be the most important documents. Those of us who sat in the hearings on the aggregate bill a year and a half ago—incidentally, it has not been reintroduced into this House—realize that that policy statement on aggregate resources was far more important than the bill we had in front of us at that time.

The bill had no meaning; it was the policy with regard to aggregate resources that really mattered.

If this bill is going to have any meaning, those policy statements must be regulations, and they must be tabled in this Legislature and discussed in this Legislature ahead of time. But there is no provision for that in this bill.

9:50 p.m.

I conclude by saying we feel very strongly about this matter of planning for the province. In our party, it is an important philosophical part of our beliefs that one should do planning including comprehensive land-use planning, not only to protect the people now in our society but also to protect future generations.

We are going to need all that food land. There can be no question about it. Every study that is made, whether it is done in Canada or whether it is done world-wide, shows there is going to be a shortage of food-producing land to feed the population of this world by the year 2000 and, in particular, by the year 2025.

We have an obligation to preserve it. In this party, we are going to see to the best of our ability that we do our part to preserve it and that we do the other types of planning which are so badly needed in this province.

We feel the bill which we have before us, although better than the previous one and perhaps substantially better than the act we have at the present time, does not do anything like it should be doing for overall planning in this province. Our party is saying to the government: "Take this back. Take this back and incorporate within it the kind of policy that is needed."

It is for that reason we on this side of the House cannot support this bill, because it does

not go far enough in this day and age to meet the very real needs of this province and the people within our society.

Mr. Philip: Mr. Speaker, I would like to make a few comments on this act. I provided a fairly long list of questions and concerns at the time of the minister's estimates in which I dealt with the draft act, but I do have some specific concerns which I hope the minister's parliamentary assistant might address this evening on second reading. We will certainly want to look at them in committee.

It is not without reason the Conservatives waited for a majority government before introducing this act. When we look at the act, I think there are a number of faults in it that have to be taken into consideration. The new Planning Act has defined planning in far more restrictive terms than in the past. Planning is henceforth to be primarily land use oriented, which means municipalities will be unable to include in their official plans policies pertaining to social or other goals unless such goals clearly relate to land use.

For example, it will be possible to say where land should be set aside for day-care centres but not to include the policies for establishing or financing them. One must ask why the definition of the official plan at present in the existing act is the definition it is and why the new definition has been substituted for the old one.

The irony is that the new act provides full and complex procedures for the review and approval of municipal planning documents and talks about the need for accountability, yet the cabinet under the act is completely unaccountable to anybody. It can pick and choose with whom it will consult and in what manner, prior to issuing binding policy statements.

One wonders if the government believes in accountability for the municipalities while leaving itself a lot of latitude in this regard. The provincial agencies are obliged to have regard for municipal plans, but Ontario Hydro is specifically exempted from any planning controls, provided that it has regard for municipal policies and consults with local governments. This only prevails, of course, where the agency itself considers that a development of theirs might have an impact on that municipality.

The bottom line of all of this, I guess, is that the governments have been burned once too often by having to go through the standard approval channels to obtain local consent for projects such as landfill sites, nuclear facilities and other such troublesome uses.

The new act, of course, would nearly eliminate such hurdles, leaving only the often very fragile protection of the Environmental Assessment Act as the sole safeguard of the public interest. Just as the minister may issue binding policy statements purely at his own discretion, by the same token he can require an amendment to local official plans with only minimal protection for the municipalities concerned. It is true that an appeal to the Ontario Municipal Board can be filed, but in such cases the OMB acts primarily as a forum for public input, since it reports back to the minister, who makes the final decision.

So, like the policy statements, this can be seen as one more arrogant measure. What these mechanisms are probably intended to do is to avoid the embarrassment of the sort that occurred in the Barrie annexation hearing, where opponents of the annexation bid had the audacity to challenge the so-called provincial policy with respect to Barrie's future growth.

There is no mention that major ministerial decisions of this type would in any way be subject to legislative scrutiny. Oh sure, we will deal with them in question period and we will deal with them in estimates, but there is no requirement that major decisions be tabled in the Legislature so they can be openly debated.

It is also disappointing that this rewrite of the Planning Act fails to resolve some of the more blatant problems of the existing legislation. My colleagues from Beaches-Woodbine and from Welland-Thorold have dealt with this at some length, but the case in point is the provision which protects uses that do not conform to zoning bylaws. Dozens of court cases have revolved around the ambiguous provision of the section that talks about uses continuing from the date of passing of the bylaw but which does not indicate how continuous this must be.

Planners and lawyers across the province agree that this provision should be clarified, yet we find no attempt in this act to do so. It would be a fairly simple process to establish very much more specific guidelines. That this blatant issue was not resolved in the new act leads one to suspect that the motivation behind the act is not so much to clean up the Planning Act as to establish more clearly the arbitrary powers of the minister. Indeed, were it not for the latter objective the majority of the other changes in the act could have been introduced in the form of amendments to the existing act.

I would also like to deal with the contrast between the powers of the city of Toronto for

bylaw enforcement under the City of Toronto Act and those of other municipalities such as the one I represent, the borough of Etobicoke. One of the areas in which we frequently have problems in our community is the problem of absentee corporate landlords. We have an extremely hardworking bylaw enforcement officer, one Mr. Burns, who deals with our area. He spends countless hours for which he is not paid going out in the evening to meet with people, hours that are certainly way beyond what his job description calls duty. Yet it can take months to get an absentee landlord, a large corporate landlord, in some cases with headquarters in Vancouver or maybe even offshore, to pay attention to the needs of the tenants and to the requirements of the municipality.

10 p.m.

In contrast, the city of Toronto housing standards bylaw enforcement powers are extremely powerful. When it comes to enforcement the city may prohibit the renting of a dwelling that does not conform to standards. The city can have the repairs done on the building if the owner is unwilling. For example, they can walk in and immediately repair an apartment furnace and put the repair on the owner's taxes. The enforcement measures include a summons order. The owner must do certain work within a certain period of time or face prosecution, which, of course, is the procedure followed under the present act by other municipalities.

In addition to that there is an enforceable work order. The city may have the repairs done and add the cost to the owner's tax bill. The city can also prevent rent hikes until the work is done or hold rents until the work is done, or indeed can use rents to pay for an owner's repair bill. The city inspectors, when health is at stake, can force entry into a furnace room, for example, and carry out repairs. If the owner fails to repair the building as ordered by the city, the city has the right even to demolish or repair or close the dwelling. These powers are rarely used by the city of Toronto, but the fact the bylaw enforcement officers have those powers means that when a work order is issued, it is usually obeyed.

In contrast, we have the situation in other municipalities where the enforcement powers are considerably weaker. One would hope that under section 31 of this bill the minister would at least re-enact certain provisions that are under the City of Toronto Act so that all municipalities, all bylaw enforcement officers, might have

the powers the city of Toronto has. When we get into the suburbs, such as Etobicoke or Scarborough, we are running into the same bylaw enforcement problems they were running into in Toronto. Indeed, one must question the discrepancies in these kinds of powers.

Those are a few remarks I wanted to make this evening.

The Deputy Speaker: Does any further member wish to participate in this debate? I see no further member.

Mr. Rotenberg: Mr. Speaker, a great many points have been raised in this debate this evening and it would be virtually impossible in the time we have left this evening to deal with all these points, especially considering this will, I hope, be going to committee for a full discussion of all the points raised.

I have taken notes of most of the points and staff of the ministry are here. All the points that were raised are noted and we hope we will be able to have full discussion of those points in the committee. We will try to have answers to all the questions raised by members of the House. I hope we will be able to give consideration between now and the time it comes to committee to the various points raised and possibly have some suggestions to satisfy some of the criticisms of the members opposite. Some of those criticisms may be valid and some, I think, may not be valid.

I do appreciate the co-operation and support of the Liberal Party for second reading of this bill. I recognize some of the reservations that have been raised by the members for Waterloo North and Brant-Oxford-Norfolk. I hope we can discuss these in committee in the same spirit of co-operation in which we have discussed the bill tonight.

However I am somewhat surprised by the stand taken by the New Democratic Party. In my opinion it is just a cop-out. I think the member for Brant-Oxford-Norfolk put it very well. After all the time spent by the ministry in drafting this bill, after it heard deputation after deputation and met so often with municipalities which really want the bill, they say they are going to vote against it. I am wondering if they really mean they do not want a new Planning Act—because that is the effect of their vote.

The ministry is saying to this House tonight that we have brought forward a draft Planning Act for second reading. We are taking it to committee for detailed clause-by-clause discussion and public participation, with the public coming in to tell us what they think of this Planning Act.

The New Democratic Party, which always tries to tell us they are all for public participation, is saying: "Do not have your public hearings. Do not have public participation. Go back to your quiet cubby hole and do it all by yourself without public hearings." I am surprised and shocked at the stand of the New Democratic Party tonight which is, in effect, saying: "Do not hold a public hearing. Do not have a committee hearing. Do the thing somewhere else."

Ms. Bryden: We didn't say that at all.

Mr. MacDonald: You get shocked when you should not get shocked and you don't get shocked when you should.

Mr. Renwick: Why don't you respond to some of the criticisms instead of making a partisan political speech.

Mr. Rotenberg: As I have indicated, many points have been raised tonight and I intend to respond to them when we get to the committee hearing.

Mr. McClellan: That is good of you. Drop us a postcard.

Mr. Philip: Have you had your head in a fishbowl again?

Mr. Rotenberg: When the members of the opposition are through interrupting, I will try to wind this up.

Many points have been raised and we will discuss these fully in committee. As I indicated at the beginning of the presentation of this bill, I ask that it be given second reading and then I

ask that it go to the standing committee on general government for a full and complete hearing of all the points that have been raised.

The House divided on Hon. Mr. Bennett's motion for second reading of Bill 159, which was agreed to on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Bernier, Birch, Boudria, Bradley, Brandt, Breithaupt, Conway, Copps, Cunningham, Cureatz, Dean, Drea, Eakins, Edighoffer, Elgie, Elston, Epp, Eves, Fish, Gillies, Gregory, Grossman, Haggerty, Harris, Havrot, Hennessy, Hodgson,

Johnson, J. M., Jones, Kells, Kennedy, Kerr, Kerrio, Kolyn, Lane, Mancini, McCaffrey, McCague, McNeil, Miller, F. S., Miller, G. I., Mitchell, Newman, Nixon, Norton, Piché, Pollock, Ramsay, Reid, T. P., Robinson, Rotenberg, Ruston,

Scrivener, Sheppard, Shymko, Snow, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, G. W., Timbrell, Treleaven, Van Horne, Villeneuve, Walker, Watson, Wells, Williams, Wiseman, Worton, Wrye.

Nays

Bryden, Charlton, Cooke, Di Santo, Grande, Laughren, MacDonald, Martel, McClellan, Philip, Renwick, Swart, Wildman.

Ayes 75; nays 13.

Ordered for the standing committee on general government.

The House adjourned at 10:40 p.m.

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Tuesday, December 8, 1981

Second reading

Planning Act, Bill 159, Mr. Bennett, agreed to. 4369

Adjournment. 4385

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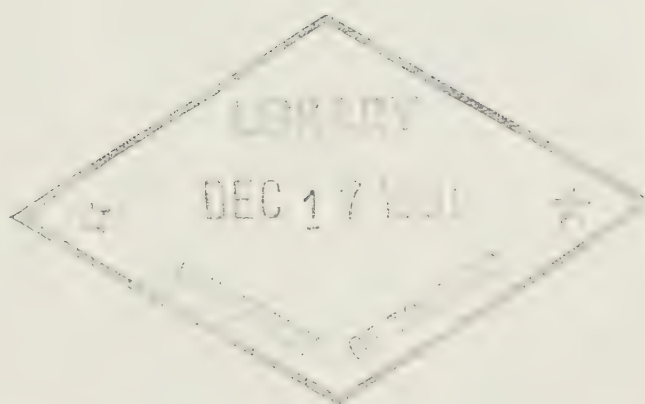
- Bradley, J. J. (St. Catharines L)
- Bryden, M. H. (Beaches-Woodbine NDP)
- Cunningham, E. G. (Wentworth North L)
- Cureatz, S. L.; Deputy Speaker (Durham East PC)
- Epp, H. A. (Waterloo North L)
- MacDonald, D. C. (York South NDP)
- McClellan, R. A. (Bellwoods NDP)
- Nixon, R. F. (Brant-Oxford-Norfolk L)
- Philip, E. T. (Etobicoke NDP)
- Piché, R. L. (Cochrane North PC)
- Renwick, J. A. (Riverdale NDP)
- Rotenberg, D. (Wilson Heights PC)
- Swart, M. L. (Welland-Thorold NDP)
- Turner, Hon. J. M.; Speaker (Peterborough PC)



No. 123

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Wednesday, December 9, 1981

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Wednesday, December 9, 1981

The House met at 2:03 p.m.

Prayers.

WINTARIO GRANTS

Mr. Smith: On a point of privilege, Mr. Speaker: I believe it will be incumbent upon you to look into a matter in which my privileges and those of several other members of this House have been abused by the Minister of Culture and Recreation (Mr. Baetz).

Members will recall discussing the matter of release of information concerning Wintario grants in this House on December 7. The minister said, "The members opposite will have it just as soon as they have it over on this side." Then the member for Quinte (Mr. O'Neil) said, "... if there is one member on that side of the Legislature"—meaning the Conservative side—"who has received that information before members on this side, it is surely something that is wrong, and I would like an assurance of that." The Speaker replied, "I think the minister did, with all respect."

Yesterday, the minister stood again and said, "I just want to say that tomorrow at two o'clock I will be making my statement and the members will have the information." You remember that, Mr. Speaker.

This morning at approximately 11 a.m. I was called by a reporter for the Hamilton Spectator who said he had heard, very early in the morning, from the member for Wentworth (Mr. Dean) who had been interested in announcing to the reporter the various recipients of Wintario grants in the Hamilton area. I presume the reporter called me in order to obtain my comments on these matters. At that time, I called the minister's office to find out how it is this happened and to see if I could receive the information about who in my riding was going to receive Wintario grants.

I tried to speak to Miss Peschel, who I understood was in charge of these matters, and was told she was not in. I spoke to Mrs. Goldring, who said she did not have the information, I would have to speak to Miss Peschel. I therefore insisted on holding the line until they found the latter person. They found her shortly and I spoke to Miss Peschel. She

said: "The letters are collated and put in bundles for the various members. After 2 p.m. they will be in the mail room and put in the slots of the various members." She said, "No member yet has received these letters."

I said, "Did anybody get the information?" She said, "No member has received the letters." I said, "Yes, I understood you, but did anybody get the information?" She said, "Not through me." I said, "Do you know if anybody got the information through anyone?" She said, "I have no way of knowing that." I said, "I want to speak to the minister." She said, "He is in cabinet." I said, "I will hold the line, please get him out of cabinet."

I held the line for some 15 minutes. Then she returned to the phone and said, "Mr. Baetz has said"—this is approximately 11:25 a.m. by then—"you can have the information regarding your riding." I said, "Why am I to be so favoured in this way by the minister?" She said: "I do not know. You will have to ask him." I said, "Is anyone else going to be favoured in this way?" She said, "Not through me."

I then said, "How do you propose to deal with this?" She said: "I will have to send someone to the mail room where they are collating these letters. We will try to form a bundle of the letters in your riding and we will send it right to your office." I said. "Thank you." This is approximately 11:35 a.m.

At 12:55 p.m. a parcel arrived in my office consisting of a number of letters for some projects in Hamilton West. It was accompanied by a letter saying the minister would appreciate it if I might maintain an embargo on the release of the information which had been attached until his announcement in the Legislature at 2 p.m. today.

The member for Wentworth, a Conservative, obviously had the information early this morning, and it is my understanding he received it from the minister's office. I clearly was not given the information until far too late to make the deadline of the newspapers in my area, which have an earlier publishing deadline, as the member for Wentworth well knows.

Clearly we are being treated once again to a situation where the minister has stood in this

House to give repeated assurances which are supposed to be taken as true. Yet we find we cannot rely on those assurances at all and a cheap political game is going on. The minister told us just the other day he is not a liar. He even pointed out his father is a clergyman, presumably leading us to believe the acorn does not fall far from the tree. In this case, the nut has rolled some considerable distance.

Mr. Speaker, our privileges have been abused and I want you to stand—

Interjections.

Mr. Speaker: Order.

Mr. Smith: I seriously doubt there are many voters in Ontario who will be taken in by the kind of cheap, political, underhanded game that is being played by these people. However there may be some who will think that if they hear a Conservative name attached to a Wintario grant it may mean he is a particularly good fellow or the Tories are especially nice people.

There may be some who will be taken in in this regard—not many I hope. But it is a cheap and underhanded political game. Apart from that, the minister has stood in this House and assured us that would not happen and yet his assurance turns out to be worth nothing. This is not the first time that has happened in recent memory.

Mr. Speaker, I ask you to protect the privileges of the members of this House. I trust the Premier (Mr. Davis) will take note of the continuing record of incompetence and lack of trustworthiness on the part of this minister.

2:10 p.m.

Mr. Cassidy: Mr. Speaker, I too have had communication with the minister's office this morning. I too have had communication with Miss Peschel, who, I assume, was put up to her brusqueness by the minister, because that is the kind of attitude he has tended to take on these matters. I too feel aggrieved and feel the privileges on this side of the House have been offended, having learned that the member for Carleton (Mr. Mitchell) was apprised of the Wintario projects in his riding last evening and was getting the information around this morning. While I was not informed, my assistant was informed by Miss Peschel—in a very brusque, rather abrupt manner—that we would have the information when the minister made his statement in the Legislature at two o'clock today.

I did get a copy of the information at one o'clock. We had another call from Miss Peschel who appeared to have thought better of her

initial outburst. She said the information about my riding would be coming to me as a courtesy to me as the leader of the third party. I suggest the member for Algoma (Mr. Wildman) and my other colleagues in the NDP caucus would not have gotten the same treatment. I resent that, because I happen to think—and I am an MPP like everybody else—that all my members should get the same treatment.

When people voluntarily tax themselves for Wintario they do so in the hope of winning a prize, and they also do so knowing their money is going to go into projects that might otherwise not be assisted in the community where they live. Some of those people are New Democrats, some of them are Liberals, some of them are Conservatives. I suspect there are some neo-Marxists and some anarchists among them as well.

I think it is wrong the government should arrogate to its members the right to announce these things as though they were gifts from the Conservative Party. These are gifts from the people of Ontario to the people of Ontario, and this kind of political chicanery and sleaze should not be allowed.

Mr. Conway: Mr. Speaker, I would like to speak to this point in a slightly different way, because I had some previous information that I perhaps ought to have made available on Monday, on which day the honourable member for Quinte (Mr. O'Neil) expressed in his question to the honourable Minister of Culture and Recreation his concern about some pre-released information.

At that time I certainly appreciated the very straightforward and, I felt, candid response of the minister, who said there was no pre-release of information; that no member, to the best of his knowledge, had got access to this information; that it was very confidential—indeed it remained in the ministry's computer; and that it would be released on Tuesday and later on Wednesday of this week. I sat in my place quietly reflecting on the panoply of front-page announcements that festooned the Renfrew county weekly press last week to the effect that "Yakabuski announces million-dollar Wintario bonanza for South Renfrew."

The minister assured the House this could not have been the case, and I accepted his answer in good faith. Yesterday, according to the Instant Hansard of 1510-2, the honourable member for Renfrew South (Mr. Yakabuski) said: "I rise on a point of personal privilege. Yesterday and today the Minister of Culture and Recreation

was asked if he had provided me with advance information re Wintario grants. I am rising at this time to state most emphatically that the minister did not."

At that very hour, 252 miles from this chamber, the Tuesday, December 8, 1981, edition of the *Pembroke Observer* was hitting the streets with the following: "Yakabuski announces area Wintario grants." I quote: "Various communities in Renfrew South will receive Wintario grants totalling almost \$1 million in the coming months, Paul J. Yakabuski, MPP Renfrew South, announced today after consulting with the honourable Reuben Baetz, Ontario Minister of Culture and Recreation."

Mr. Speaker, I think I am a reasonable, straightforward person. I find there to be an apparent—and, depending on your point of view, serious—contradiction in the public statements in this place between the honourable Minister of Culture and Recreation and the honourable member for Renfrew South. And that speaks as well to the point of privilege I raised earlier.

Mr. Wildman: Mr. Speaker, I rise on the same point of privilege. Although it appears some Conservative members had advance information, late yesterday afternoon, when my assistant phoned the ministry at the request of a municipality in my riding to get information about an application made by the recreation committee of that municipality we were told the information would be made available today and the official could not second-guess the minister by providing information to a member of the Legislature ahead of that announcement.

If that is the case, why is the minister being second-guessed by members of his own caucus? How is it these other announcements have been made by members of the Conservative Party?

Mr. Mackenzie: Mr. Speaker, on the same point of personal privilege: I think there is a broader privilege of all of us that has been abused here. As far as I am concerned, that is the cheapening and downgrading of this House by the basest form of petty pork-barrel politics being practised by the minister and those who have issued the information, knowing full well this side of the House did not have that information.

I wonder if there is not also a point of principle involved that should be addressed here in terms of the ministers involved in this government.

Mr. O'Neil: Mr. Speaker, since I originally

raised this matter in the Legislature, I think I should straighten out that I called the minister's office last Thursday because I had also heard this information was being given out to some of the Conservative members. When I called the minister's office I was told the same information as my leader, which was that information would not be made available until next week.

On Monday I tried to reach the minister at his office. I made two calls and, to be fair, his assistant did return one of those calls when I was not in, so I raised the matter in the Legislature.

We heard the minister's statements. After leaving this Legislature, and while talking to two reporters in the hall, the member for Prince Edward-Lennox (Mr. Taylor) walked by and mentioned to me that if I were to call the regional office, the information would likely be obtainable. I did call the regional office. The information was given to me and I announced that information in my riding on Monday.

I called the minister last evening to ask whether it might be possible to pass on to my colleagues that the same information would be available from the regional offices. The minister did not return my call. On the other hand, the member for Victoria-Haliburton (Mr. Eakins) called the Peterborough office and he was refused. They would not give him that information. I believe there certainly has been a breakdown as to whether these regional offices were to give out the information. We also wonder why some of the Conservative members were given it well in advance of ourselves.

Mr. Wrye: On the point of privilege, Mr. Speaker: I heard this noon hour that perhaps some of the offices were handing out these announcements early and that one could get one's name in the paper by being able to make the announcement.

I called the *Windsor Star* around 1:30 p.m. today and asked whether they had received any announcement of Wintario capital grants. They had not. I was quite relieved to know this kind of pork-barrel politics was not going on. Then I suddenly realized there are no government members anywhere in Essex county. Essex county is a very wise place.

I went a little further afield and called the *Chatham Daily News*. Lo and behold, the member for Chatham-Kent (Mr. Watson) had announced a \$74,000 Wintario capital grant this morning. Further, I called the regional office in Windsor and was told I could not get the information until two o'clock.

Then I called the regional office in London

and we have been assured by that regional office the member for Chatham-Kent was not given the information by that office. If he did not get it from that office, where did he get it?

2:20 p.m.

Mr. Shymko: Mr. Speaker, for the principle of equity I would like to refer to the comments of the member for Quinte who received information and apparently received some Wintario grants in his riding. There are many Tory members on this side of the House who, despite the information, have not received any moneys from the Wintario projects. I think the information was not given to all the members.

I had not received any information and I had received no money. Let us realize there are many members on this side of the House who were not informed of any grants and had received no grants whatsoever compared with many constituencies represented by the honourable members who were fortunate enough to receive grants. The principle is not the information but simply the grants that have been distributed to a variety of constituencies. My constituency received zero.

Mr. Bradley: Mr. Speaker, on a point—

Mr. Speaker: Is this on the same point?

Mr. Bradley: Yes. It is on the same one, very briefly.

Mr. Speaker: All right. This will be the last one. I think we have had ample discussion on this.

Mr. Bradley: Thank you, Mr. Speaker. I too was very interested in the Wintario grants that would be provided to the Niagara region. However, I did not call the regional office and I did not call the minister's office because I had faith in the words of the minister that nothing would be revealed until two o'clock today.

Mr. Smith: That is right. He misled this House.

Mr. Speaker: The Minister of Culture and Recreation.

Interjections.

Mr. Speaker: Order. All the members who wanted to have the opportunity of being heard have been heard. I would ask them to extend the same courtesy to the minister.

Hon. Mr. Baetz: Mr. Speaker, we have now wasted 25 minutes of this assembly. If the members opposite would quit rising on what they perceive to be a point of privilege and go down to their mailboxes then they could find all

the approvals of the projects down there waiting for them. I do not know why they are up here haranguing away at it.

I have also received a blow-by-blow description of the Leader of the Opposition's harassment of my staff this morning. At least he was correct and honest, and I am surprised the leader of Her Majesty's loyal opposition would be wasting his time on a matter like this. I can understand why he is over there and not here. The same goes for the leader of the third party.

As a point of interest, our leader over here has far more important things to do and he, at least to this minute, does not know what projects in his riding have been approved. So it shows the members who is running the affairs of state and who is preoccupied with the small stuff.

As I told the members several days ago, the procedure in making these grants this time is quite different. Instead of making a few grants every week we have allowed the grants to accumulate until today. I will be announcing, if the members give me time to do so, that we have approved over 600 grants.

These are all going out today. The information is going out today but the members can surely appreciate that with that volume of information around in the field offices, in my office, in the computers, as the honourable member for Quinte knows, because he harassed my field office staff in Belleville and finally forced them to give the information.

Mr. O'Neil: Mr. Speaker, on a point of privilege: I did not harass the minister's field office in Belleville. I had the courtesy not to put them on the spot to release that information to me and that is why I went to the minister's office. I called three or four times to try and get that information. I will not put the civil servants in this province in a position to embarrass them, so the minister should not say I harassed his office in Belleville. That is a lie. That is a lie.

Mr. Speaker: Order. I will ask the honourable member to withdraw that remark.

Mr. O'Neil: I will not withdraw, Mr. Speaker. The minister should withdraw the comment that I harassed, because that is an untruth.

Mr. Speaker: I have no alternative but to—

Mr. O'Neil: Mr. Speaker, I will withdraw that if he withdraws his statement that I harassed his Belleville staff, because I did not.

Mr. Speaker: Order. No, I will have to ask the member to withdraw that remark. Failing—

Interjections.

Mr. Speaker: Order. I have the floor. The honourable member for Quinte.

Mr. O'Neil: Mr. Speaker, I will withdraw it.

Mr. Martel: On a point of order, Mr. Speaker: The minister has imputed motives to my colleague the member for Quinte and he has no alternative but to withdraw that comment, absolutely none.

Mr. Speaker: The minister was rising when you rose.

Hon. Mr. Baetz: Mr. Speaker, I will withdraw the word "harass" and replace it with "inveigle" or "dupe" or whatever. The member gave them incorrect information.

Mr. Cassidy: Mr. Speaker, will the minister withdraw those words as well, or will he continue to impute motives and to abuse the rules of this Legislature?

Mr. Speaker: Order. The Leader of the Opposition.

Mr. Smith: Mr. Speaker, if you think back to the original point I raised, the minister is accused in this House of having in a deliberate way misinformed this House on two consecutive days. Instead of answering that question, he has now chosen to impute motives to the member for Quinte.

I almost hesitate to press the matter because I am afraid he will leave the cabinet and a gold mine for us will be lost. I do believe, Mr. Speaker, that you have some duty to protect members in this House from being accused of harassing civil servants when they have not done so, or inveigling or duping anybody, or any other ill motives when they are not correct. It is surely not parliamentary to make that kind of accusation about another member.

I hope you will demand a proper standard, first of all, of withdrawing that and, second, of answering the original allegation, which is that the minister has not been truthful with this House for the last two days. He says his leader has better things to do than what I did this morning. Maybe if his leader spent more time checking up on the integrity of the minister, the minister would not be in the cabinet any more.

Mr. O'Neil: Mr. Speaker, before the minister has a chance to withdraw, I hope, all of those statements, might I say my exact words in my telephone call to the ministry office on Monday were these: "I have just spoken with Mr. Jim Taylor outside the Legislature in the presence of two reporters and Mr. Taylor more or less implied that I should call your office to get this information. If it is embarrassing in any way to yourself, I will go back to the minister." Those were my exact words and I do not call that harassing. I think that is being very considerate of people in the field office.

Hon. Mr. Baetz: Mr. Speaker, I will be quite pleased to withdraw the word "harassment" whether it was directed to the member for Quinte or to the Leader of the Opposition. I would simply ask that some independent body take a look at the conversation. I think it was quite accurately reflected in the statement by the Leader of the Opposition this afternoon, because that is pretty well what I heard from my staff. I would like to have a third party determine—

Interjection.

Hon. Mr. Baetz: No, not that party—an independent party determine what was involved here. Apparently the Leader of the Opposition was on the phone for many minutes, maybe 20 minutes, maybe half an hour. I would ask you, Mr. Speaker, to look into the details of that conversation.

Interjections.

Mr. Speaker: Order.

2:30 p.m.

Mr. Martel: Mr. Speaker, at the minister's behest, and because of the seriousness of the allegations made, I would suggest we send this matter immediately to the procedural affairs committee so that all of the details can be examined. I would ask Mr. Speaker to do so. I see the House leader shaking his head, but I am just meeting the request by the minister that this be the case. That is the body that usually looks into these matters. If the minister does not want it examined he should get up and state that.

Mr. Speaker: Order. The member for Hamilton East has been trying valiantly for many minutes.

Mr. Mackenzie: Mr. Speaker, I guess I am in your hands but I think it is a point of privilege and my concern—

Mr. Speaker: The same one?

Mr. Mackenzie: The same one. The non-answers we were getting from the minister, the attacks he was making on the procedures or what had happened or who was harassed, was not an answer to the serious questions and allegations that have been made. It is this kind of dishonest claptrap that is putting us in trouble in this House.

Mr. Smith: I want to receive an answer, Mr. Speaker. What are you going to do about it?

Mr. Speaker: Thank you very much. I did hear the request of the Leader of the Opposition. I also heard the request of the minister. I

would once again point out to all honourable members it is not my duty or responsibility to make a judgement.

Interjection.

Mr. Speaker: No, that is not true. I have no way of knowing, with all respect, what has been said or not been said. I have no way of making a judgement whether it is truthful or not truthful. I think it is the responsibility and duty of the House to make a determination on that matter.

Mr. Martel: Send it to the procedural affairs committee.

Mr. Speaker: It is not the duty of the Speaker to make a judgement. It will have to be done by motion. The members know that as well as I do, with all respect.

Mr. Martel: On a point of order—

Mr. Speaker: On the same one?

Mr. Martel: Yes.

Mr. Speaker: This is deteriorating into a debate.

Mr. Martel: Mr. Speaker, you certainly have the ability to send something to the procedural affairs committee if you want the thing examined. I am not asking you to decide, as I said earlier this week in this House, whether someone is telling the truth or not. That is not your responsibility. But when you are requested, and on precedent where the former Speaker sent things to the procedural affairs committee, certainly it is within your power to send it there.

Mr. Smith: For three consecutive days the minister has not been truthful in this House.

Mr. Speaker: I would like to have the opportunity to consider this. I will do that and I will get back.

Interjections.

Mr. Cassidy: Mr. Speaker, I first raised, and several other members have raised, the words used by the minister where he stated that the member for Quinte had duped or inveigled the regional office of the ministry in Belleville. Those words were not withdrawn, as far as I understand, despite the rules—

Mr. Speaker: Order. Yes they were.

Mr. Cassidy: They were not—

Mr. Speaker: Yes they were. He withdrew his remarks, as I understood them.

Interjections.

Mr. Cassidy: Will you insist that those words be withdrawn, Mr. Speaker?

Mr. Smith: He withdrew only the word “harassed.” He did not withdraw “duped” or “inveigled.”

Mr. Speaker: Again, you are asking me to make a judgement.

Mr. Cassidy: That’s your job.

Mr. Speaker: No, it is not, with all respect. I am not going to argue with you.

Mr. Cunningham: Mr. Speaker, I hesitate to draw this matter out any further but the minister advised members that by two o’clock these notices of Wintario grants would be in our mailboxes and as of 10 minutes ago there was no such notice in my mail box.

Interjections.

Ms. Copps: On the same point of order, Mr. Speaker, at 2:30 p.m. there was no notice in my mailbox nor has there been to date. The minister just said a few minutes ago to every person in this House that the notices would have been delivered by two o’clock today. They are not there. This is another example of the misinformation, and the kind of misleading information, that we have had in this House.

Mr. Speaker: Thank you. Maybe the minister would be good enough to look into it.

Interjections.

Hon. Mr. Baetz: Mr. Speaker, I was told the copies of the letters would be here in the House. I do not deliver the mail myself. I do not know if they are down there now or not, but they are going to be there today.

STATEMENTS BY THE MINISTRY

TORONTO ISLANDS HOMES

Hon. Mr. Wells: Mr. Speaker, today I will be introducing a bill which is based on the Swadron report recommendations. This bill will permit the residential community to remain on the Toronto Islands to the year 2005. When Barry Swadron officially released his report last spring, I announced that the essence of the report, “that a community on the Toronto Islands should be continued and that those who are resident in that community should pay their way,” was acceptable to the government of Ontario and we would take appropriate steps to put this into effect.

As the members of this House will recall, a year ago November we passed Bill 181, the Toronto Islands Act, which stayed the execution of the writs of possession issued upon the residents of the Toronto Islands until July 1, 1981. The objective in passing such legislation

was to permit Mr. Swadron to complete his inquiry into the future use of the residential portion of the Toronto Islands. As I noted then, this was the first time the whole issue of the future use of these lands had been examined in depth by an independent commission.

In order to allow this matter to be discussed thoroughly, Bill 103, which postponed the writs for a further six months until December 31, 1981, was enacted. Over the past few months numerous meetings between myself and representatives of Metropolitan Toronto, and several meetings with city of Toronto representatives, have taken place to try to achieve a compromise solution. However, I must frankly acknowledge it was not possible to produce a bill pleasing to everyone.

The preparation of the bill that will be before us today was guided by a desire to follow the spirit of Mr. Swadron's recommendations. This bill provides for the reimbursement of Metropolitan Toronto for its expenditures with respect to the islands' residential community.

I will briefly explain the main provisions of the bill.

The municipality of Metropolitan Toronto will be deemed to have leased the lands and houses to the city of Toronto at an amount equal to the fair market value of such lands used for residential purposes, subject to review at intervals of not more than five years. Failing agreement, the rates will be determined by arbitration.

Persons who held an interest in premises prior to October 19, 1978, and have continued to hold an interest in those premises since that date, will be entitled to a lease of those premises. In other cases, the city of Toronto may decide who is an occupant entitled to enter into a lease with the city.

As a precondition of receiving a lease from the city, an occupant shall pay to Metro all outstanding arrears of rent and occupation rent, and shall pay to the city arrears of taxes and public utilities rates attributable to the lands and structures that are leased by the city to the occupant, together with interest.

The occupant must use the house as his principal residence.

All rights of Metro to possession of the lands under the writs of possession will be assigned to the city of Toronto. The city shall reimburse Metro for expenditures made on deficits incurred for provision of municipal services attributable to the residential community.

The city of Toronto and Metropolitan Toronto

shall, as long as residential leases are in effect on Ward's Island and Algonquin Island, continue to maintain the existing level of services for the islands, but if a different level of services is provided by the city of Toronto in the city from time to time, such different level of services may be provided.

No occupant may grant an assignment, sublease or licence of occupation. Where the occupant ceases to occupy the premises as his principal residence, the lease between the occupant and the city of Toronto shall be deemed to be terminated and the city may lease the premises to another person.

Metropolitan Toronto shall lease to the city the lands occupied and used by the Algonquin Island Residents Association and the Ward's Island Residents Association. These associations may not assign or sublease these lands.

The bill defines occupant so as to first protect those persons with a long-standing interest in the island lands, but also includes persons who resided there at the time of the preparation and release of Mr. Swadron's report.

Metropolitan Toronto shall extend the sanitary sewer system on the Toronto Islands to serve the island residential community at the cost of the city of Toronto.

2:40 p.m.

I am confident this legislation, which I hope will be supported by all members of this House, will bring a conclusion to what has been a very thorny and troublesome matter for many people concerning the residences on the Toronto Islands.

Mr. Ruprecht: Mr. Speaker, on a point of clarification—

Mr. Speaker: Order. I thought that was very clear.

WINTARIO GRANTS

Hon. Mr. Baetz: Mr. Speaker, it is a pleasure to announce today that I am approving some \$40 million worth of grants for more than 600 community projects in all parts of Ontario. These grants, funded by the proceeds of the Wintario lottery, will help build and improve a tremendous array of cultural and recreational facilities in our province.

They mark the first group of awards made under the new Wintario capital grants program I announced last January 28. They will mean new and improved facilities in every part of Ontario, in centres big and small: new YMCAs,

new libraries, cultural centres, museums, creative playgrounds, sports complexes and arenas, and the list goes on.

In the six years it has been operating, the Wintario capital grants program has had an enormous and profound influence not only on the cultural and recreational life of this province but on the economy as well. Since September 1975, my ministry has supported the construction of more than 4,000 cultural and recreational facilities with grants totalling about \$225 million. With the 600 new projects, the province's support will be increasing to about \$265 million.

As honourable members know, my ministry acts as a partner with the local community in the development of public cultural and recreational projects. In general we grant one dollar for every two dollars raised by the local community. In northern and eastern Ontario we match the local community dollar for dollar, and when it comes to making public cultural and recreational facilities accessible to disabled people we provide three dollars for every one dollar raised locally.

As I said, during the last six years my ministry has paid out about \$225 million in Wintario capital grants. That means we have played a vital part in stimulating some \$700 million worth of activity in Ontario's construction sector. It has been estimated that, as a result, work for more than 14,000 men and women has been created. Now, with new commitments totalling about \$40 million, we will be participating in another \$120 million worth of construction activity. That means the Wintario capital grants program's total direct economic impact is approaching the \$1 billion mark.

As I said earlier, this new group of grants numbers more than 600. Between last April 1, when we opened up for grant applications, and the September 30 deadline, we received about 1,000 requests for support under the new program. I was able to grant about 60 per cent of those requests. Community groups, in consultation with my staff, worked very hard to develop their applications.

Obviously, I would prefer to have been in a position to approve more of them. But as honourable members know, we do not commit more support than the funds I have available, so I had to make some very difficult choices. I want to emphasize that those choices were made with great care and were based on priorities and criteria that flowed from our capital priorities review, which we completed last year. You will

remember, Mr. Speaker, this comprehensive study was conducted in detailed consultation with the members of this assembly who chose to participate and with thousands of local groups and officials.

The grant applications that I am approving reflect very closely the priorities that flowed out of this review. The grant awards involve 351 sports projects, 149 community centre projects, 45 library projects, 22 museum projects, 19 arts projects and 10 heritage projects. The scope of our sport and recreation projects runs from a new Central YMCA here in Toronto to a creative playground in Delhi. Our community centre initiatives will include a community park and recreation centre in Sudbury as well as a community hall in Port McNicoll.

In the library field, we will be helping to build a new library in Georgina township and assisting the Etobicoke library system with an energy conservation project. Our museum projects will include a new facility for Goderich. In the arts, we will be supporting a town hall theatre in Nanticoke. In heritage we will be involved in the restoration of the courthouse in Niagara-on-the-Lake.

Financial support for all of these projects will start to flow next April 1. We expect to pay out \$30 million in this group of grants during the 1982-83 fiscal year with the remaining \$10 million flowing thereafter. Finally, next April 1, we plan to start accepting applications for a new cycle of Wintario capital grants for payments to commence April 1, 1983.

My ministry's Wintario capital grants program has changed the leisure-time face of this province, particularly in smaller centres which would not have been able to afford many projects without provincial help.

It has already helped build such important public facilities as the Hawkesbury Sportsplex to the east, the London Art Gallery to the west, the Jeux Canada Games Complex at Thunder Bay in the north and an expanded Royal Ontario Museum and new Massey Hall here in the south.

Some of our new projects will undoubtedly become as familiar as the ones I have just mentioned and I would like to take this opportunity to wish all our partners at the community level every success with them.

QUEEN STREET MENTAL HEALTH CENTRE

Mr. McClellan: Mr. Speaker, I would like to rise on a point of privilege to clarify the record if I may. I will try to be mercifully brief.

On Monday of this week the Minister of Health (Mr. Timbrell) was asked a series of questions with respect to the safety of patients at the Queen Street Mental Health Centre in view of medical staff shortages. The minister said, and I quote, "We do not believe that the situation at Queen Street constitutes a threat to staff or to patients."

When the minister made that statement, he should have been aware of a memorandum from the president of the medical staff at Queen Street, Dr. Gray, in which Dr. Gray stated that because of the loss of 18 doctors over the course of the past year, "This loss is now approaching the equivalent of one of the geographical service's total psychiatric staff." He goes on to say, "The result of the loss in medical staffing is to turn Queen Street"—

Interjections.

Mr. Boudria: It is a final supplementary.

Mr. McClellan: I think this is an important matter—

Mr. Speaker: Order. That is not really a point of privilege, with all respect.

Mr. McClellan: It is a matter of correcting the record.

Mr. Speaker: You will have an opportunity to do that at the appropriate time.

Mr. McClellan: The minister said he was aware of that and also—

Mr. Speaker: Order.

GREAT LAKES-SEAWAY TASK FORCE REPORT

Hon. Mr. Snow: Mr. Speaker, as members of this House will recall, earlier this year I received the report of the Great Lakes-Seaway task force from its chairman, Mr. Ralph Misener.

That report outlined the concerns and comments of many individuals and organizations associated with the marine mode and provided extremely valuable background information as well as specific recommendations concerning this vital transportation system. One of the issues that is most apparent, after review of the report, is that Ontario must take a stronger stance on Great Lakes-Seaway policy.

After six months of study, today I would like to outline the action we propose to take, based on the task force findings, to implement that stronger stance. Our first move will be to support and promote immediate short-range capacity improvements on the Welland Canal, the canal closest to its capacity among all

sections of the entire Great Lakes-Seaway system and the canal where, at peak periods, substantial delays in passage are common.

The report categorizes a number of specific suggestions aimed at effecting greater capacity. We intend to take them to the St. Lawrence Seaway Authority and to determine from them the plans and timetable for improvements that we have identified.

We have also reached the point where we must take a definite stand on the question of extending the navigation season. I realize the problems of cost, the environment and jurisdiction all make this a particularly thorny issue, but its resolution is vital to the intelligent development of the system's potential.

In this area, it is my intention that the Ministry of Transportation and Communications will act as a co-ordinating body and request other ministries and agencies concerned to identify all difficulties and obstacles clearly so they can be evaluated and considered and an informed government position arrived at.

A third initiative will be to implement a co-ordinated strategy to make the public more aware of the importance of the Great Lakes-Seaway system.

The economic importance of the system, both to this province and to the country as a whole, cannot be overstated. Money must be spent over the next few years to ensure that the system maintains its vital role in our transportation network. Since that money will come from the public purse, we must inform the public of the real necessity of a healthy Great Lakes-Seaway system as part of the overall Ontario and Canadian transportation system.

2:50 p.m.

The co-ordination of this public awareness program, including films, speeches, publications and participation in public events, will again be carried out by my ministry working with others, such as the Ministry of Education, while the appropriate agencies, the shippers, carriers, unions and the St. Lawrence Seaway Authority will be requested to assist in execution of the individual elements.

In addition to this public awareness initiative, the Ontario International Corporation has been asked to act as the catalyst in developing a commercial promotional program for the Great Lakes-Seaway system. To this end, contact will be made with the Ontario harbour commissions to discuss the program and its format as a prelude to discussions with other interested parties.

Next, we hope to establish an advisory council of industry representatives, people with real world experience in the marine mode, to supply expert advice on how best to find and continually update the appropriate solutions. This would be an extremely flexible body, with membership changing to reflect the issues under discussion at any given time.

We also intend to develop a provincial ports strategy, one which will include all Ontario ports, so the government can determine the potential for provincial participation in port development. Although ports are under federal jurisdiction, they play a critical role in Ontario's economy and transportation network, directly influencing the development of their surrounding areas. The significance of these ports requires examination and we must develop an overall strategy to accommodate requests for provincial assistance or facilitate dealings with the federal government.

All of these initiatives will be undertaken in the context of our dedication to the principle of an overall transportation network and considering all modes, including the Great Lakes-Seaway system.

While we are genuinely concerned that the system may not be adequate to accommodate expected demand, I can say that no specific long-term plans for expensive expansion will be supported without a full evaluation of our transportation network as a whole, an evaluation geared to assist this province to determine where improvements would be most appropriate.

The program I have outlined represents the areas of emphasis articulated by the Great Lakes-Seaway task force, areas which we intend to address first, for it is plain to me that Ontario must ensure that our marine mode is safeguarded and strengthened as a vital contributor to our provincial economy.

ORAL QUESTIONS

HYDRO EXPORTS

Ms. Copps: Mr. Speaker, I have a question for the Minister of the Environment. When the matter of selling electricity to General Public Utilities in the United States was first raised, the minister claimed electricity would come from the grid, not just from coal-fired stations. A few days later, the Minister of Energy (Mr. Welch) stated, "On the basis of current projections, it is possible that about 30 per cent of the exports to GPU will be from nuclear energy."

In fact, I am now sending to the minister information directly from Ontario Hydro which clearly indicates that if GPU takes advantage of the full contract, nuclear sources will supply only 8.3 per cent of the electricity and coal will supply 91.7 per cent. The emissions from this contract alone will kill 560 Ontario lakes.

Does the minister think a sale of electricity which will net only \$43 million in profit is worth the loss of 560 of our remaining lakes?

An hon member: Well written.

Ms. Copps: I wrote it.

Hon. Mr. Norton: Mr. Speaker, I would begin by observing that I hope that last comment was not intended as an insult to Mr. Rudolph, who normally does a very fine job of writing the Liberal Party's questions. He is really a very capable young researcher, as I understand it.

Mr. Kerrio: You should have such researchers over there.

Hon. Mr. Norton: That is how I come to recognize his ability, because I know what ability is when I see it on my own staff.

I suppose we could debate back and forth from now until such time as that project goes ahead, if it ever does, in terms of what the precise mix might be. When I responded to the member's question, I responded on the basis of the best information I had been able to obtain. It may be the information the member has sent over is somewhat more up to date. Obviously, my response at that time was not out of line with what the Minister of Energy had in mind a few days later. The point is there will be some mix. It is not going to be entirely from coal-fired plants. I do not know exactly what that mix might be.

The latter part of the member's comment is really very hypothetical. There is no sound scientific basis upon which one can base that kind of calculation in terms of the numbers of lakes. I am not suggesting the member or her research staff have done this, but I think there are people who are trying to take a very elementary and simplistic approach to calculating what is going to cause what effects in terms of lakes. That is precisely the important area of research we are now engaged in.

In terms of my involvement with my federal counterpart in this country and with ministers from other provinces who are part of the board of ministers charged with the responsibility of determining national policy on the acid rain situation, I do not know of anyone who can categorically make that kind of statement. It is one of the issues we are looking at very carefully

in view of the negotiations now under way pursuant to the memorandum of intent with the United States.

To some extent the American negotiators would like us to come up with a firm figure that tries to correlate levels with the damage to specific things. Frankly, to the best of my knowledge at this time, there is no scientific evidence, no reliable evidence of any kind that I am aware of, from which one could draw the conclusion that a particular level of emissions would lead to the death of a certain number of lakes. That is very speculative and unreliable.

I would also point out though that, despite what the ultimate outcome may be of the negotiations under way between Ontario Hydro and General Public Utilities, Ontario Hydro will be bound, regardless of the demand and of production levels, to live within the progressively reduced levels of emissions set out in the regulations to which it is now subject. It knows it will not be exempted from that and its planning must take place within the context of a 45 per cent reduction in emissions. I think that has to be borne in mind.

Ms. Copps: Mr. Speaker, I have in my hand the confidential telex the minister sent to the president of the National Energy Board on November 19, in which he stated: "We are concerned that issues regarding the project's effect on the environment be discussed to the satisfaction of the government of Ontario. Accordingly, we would like to confirm whether the board would be willing to include criteria in its consideration of the undertaking that would meet Ontario's requirements."

Will the minister explain why he asked the National Energy Board to deal with the environmental aspects of the project when NEB members represent the energy industry? Surely environmental hearings should be carried out by environmental experts, and the Minister of the Environment should know that.

Hon. Mr. Norton: It is unfortunate, Mr. Speaker, that the honourable member has not been able to take the time to attend our estimates now under way, because that matter has been fairly extensively discussed in the estimates.

I would start out by saying that to the best of my knowledge there was nothing confidential about my telex. I have discussed it with members. I may not have distributed it as such, but from the very beginning I indicated I was in communication with the National Energy Board.

3 p.m.

That is not the only communication we have had. There has been an exchange of communication. If the member thinks she has a confidential document leak, then I am sorry to disappoint her. If she had asked me what the communication had been about, she would have been quite entitled to the information. The reason that communication was initiated on my part was because of the fact, as I previously stated in the House and elsewhere, there have been three independent legal opinions—not all to my ministry; only one was requested by my ministry when we happened not to agree with two previous ones.

All of these have indicated that, given the doctrine of primacy under our constitution with respect to federal legislation in specific areas, and this is one of them, we have been advised that the Environmental Assessment Act would not be legally binding in this situation, given the primacy of the federal legislation and the authority of the National Energy Board.

In the face of that opinion, I have been exploring, as I indicated to the committee, through my office in the ministry and also with the college, ways by which—if that is a correct opinion, and I have received no legal opinions to the contrary, it is important to me that we be able in this province to ensure that our standards for environmental protection be applied in whatever forum is going to be the appropriate and the binding forum in this matter of an export of energy across an international boundary.

One of the things that occurred to me initially was, is there a possibility of a combined hearing, something like we have already done in Ontario with our consolidated hearings legislation. That was not an acceptable proposal, I learned from the federal government, by virtue of the fact that its agency was not in the position to sit down with the province and have a combined hearing.

Then I followed up with further questions to see if they in fact would agree to apply our legislation and the standards which are implicit in it. All those are exploratory communications so that I can be in a position to determine what the best course of action is to protect the interests of the people of this province in the area of environmental protection.

I am not embarrassed about the communication. I think it is important that one seeks to explore all of the possible alternatives so that one is in the best position possible to select which is going to be the most effective way of achieving the objectives of Ontario.

Mr. Foulds: Mr. Speaker, can the minister tell me who he expects the challenge from if he subjects the project to the environmental assessment laws of this province? Does he expect a challenge from the federal government? Does he expect a challenge from Ontario Hydro, one of Ontario's agencies, or does he expect his challenge from the Americans? Tell us who he expects a challenge from, and subject the thing to Ontario's laws.

Hon. Mr. Norton: Mr. Speaker, I think the honourable member has missed the point. If one were to approach public responsibility with the degree of narrow-mindedness and tunnel vision the honourable member sometimes reflects in his questions, my goodness, we sure would not be making much progress in this province.

Mr. Foulds: I gave a direct question. Give us a direct answer.

Hon. Mr. Norton: I intend to give you a direct answer, but I must say there were certain things implicit in your question that I felt merited a response.

Interjections.

Mr. Speaker: Order. Never mind the interjections. Answer the question please.

Hon. Mr. Norton: Thank you, Mr. Speaker, I shall try to do that. They tend to be rather loud and sometimes difficult to ignore.

The point surely is this: if we were to proceed through an environmental assessment—and this is one of things I want to have very clear answers on before we make a final decision—and hypothetically the determination of the Environmental Assessment Board was not consistent with the determination of the National Energy Board; in other words, the National Energy Board said, "It has our stamp of approval, you can go ahead." The Environmental Assessment Board came to a contrary conclusion. Under the legal opinions that exist, it may well be possible that the decision of the Environmental Assessment Board would be void, because it does not have legal effect in view of the primacy of the federal legislation. That is the issue; that is, at least, one of the important issues that has to be sorted out.

Ms. Copps: Mr. Speaker, it is interesting that the telex is no longer confidential. It probably became nonconfidential this morning when the minister realized we had a copy of it. But I

would point out to him that his office refused to release this telex to either our staff, Energy Probe or Ontario Hydro.

Interjections.

Ms. Copps: On to the supplementary, Mr. Speaker.

Mr. Speaker: Thank you.

Ms. Copps: Given that Ontario Hydro is spending more money on this cable than on its entire acid rain program, and given that the minister may exempt this proposal from Ontario's environmental legislation to benefit a company that needs electricity because it destroyed its own Three Mile Island plant, will the minister guarantee to this House that the proposed project will be subject to examination under the Environmental Assessment Act?

Hon. Mr. Norton: Mr. Speaker, obviously that is what all the questions up to this point have been dealing with. I think I have explained the complexity of the issue and the fact that I am trying to sort it out at the moment.

Ms. Copps: Does the minister have an answer?

Hon. Mr. Norton: I am not going to be taken into a situation where I will give the member the very simplistic and naive response she would like.

In view of the fact that the honourable member's question again raised the issue of confidentiality, all I can say is that the—

Mr. Speaker: That was not the question, with all respect.

Hon. Mr. Norton: No, but it is a relevant question, because she is suggesting that I was somehow trying to hide it. She may well have had that response from—

Mr. Speaker: Order. I think you made that point very clear previously.

Interjections.

QUEEN STREET MENTAL HEALTH CENTRE

Ms. Copps: Mr. Speaker, I have a question for the Minister of Health. I suppose this is a supplementary to the point of privilege raised earlier by the member for Bellwoods (Mr. McClellan) but more in the nature of a question.

On Monday the minister reassured this House that none of the patients at the Queen Street Mental Health Centre were in danger. In fact, he said, "First, let me say we do not believe the situation at Queen Street constitutes a threat to staff or patients." That was on Monday.

Now a death has occurred in circumstances

that raise grave questions about the ability of the medical staff, which is already overburdened, to cope with the exceptional needs of the hospital and its patients. Is the minister now going to respond to the urgent call of doctors in this hospital? What action will he take to clean up the mess at Queen Street?

Hon. Mr. Timbrell: Mr. Speaker, with respect to the honourable member, to my knowledge the autopsy is not even complete yet, let alone the analyses of the sedative that was apparently used on this patient. I submit to the member that her question sounds as though, with no knowledge whatsoever of the case, she has already decided what the answers are or has reached her conclusion.

Mr. Nixon: Now, now, now.

Hon. Mr. Timbrell: With respect, that is exactly what the question implies.

Let us just go back over the history of it. We made a number of changes at Queen Street Mental Health Centre early in 1981 because we recognized that the program there was not all it could be or should be. We made changes in administration. Following on that, we decided to engage outside consultants, including outside psychiatric consultants working through and for Peat Marwick, to evaluate the existing program at Queen Street and to advise on the most effective way to reorganize the hospital so it better meets its responsibilities for the provision of psychiatric care in the very large catchment area it serves.

With the greatest respect to the member, on the basis of the information from my assistant deputy minister and my director of psychiatric hospitals, or any of the other information that has come to me, I have no reason to change that opinion. It would be premature and, I submit, irresponsible to try to draw into the review that is under way at Queen Street and the changes that are going to be made at Queen Street the fact that one of the patients did pass away this last weekend and that this matter is under investigation.

3:10 p.m.

Ms. Copps: While the minister was waiting for the results from Peat Marwick, the hospital staff wrote him a letter on November 13, in which it stated: "The situation is extremely critical. The increased caseload has led to a deterioration in the quality of care. The medical staff no longer feels able to maintain the standards. Inevitably, because of the types of patients we care for, because they are isolated

and lonely and suffer from severe chronic illness, there will be an incident, with attending media publicity."

That was drawn to the attention of the ministry on November 13. How much more of a warning does the minister need before he is going to move on this very tragic and unnecessary death?

Hon. Mr. Timbrell: First of all, Mr. Speaker, in response to that, let me remind the honourable member that since deciding to engage outside consultants at the same time as we imposed a hiring freeze, there has been rehiring for those positions necessary to maintain the programs. Perhaps the member was not in the House the other day when I told the members that the advice I have had is that at this time there are 1,131 full-time equivalent staff at the Queen Street Mental Health Centre. The director of the psychiatric hospitals branch advises me that under the terms of the hiring freeze imposed in the spring there are only eight positions frozen.

Subsequent to that letter having been sent, and again I would remind the member we can find no record of having received the original, we got a copy on November 24. But subsequent to that letter, on the advice of the administrator and the medical director of the hospital to the director of the psychiatric hospitals branch, and through the assistant deputy minister to me, the freeze with respect to three psychiatric and one medical position has been lifted and those positions will be filled.

I have to tell the member that given the number of admissions involved in any year, and given we are talking about a psychiatric hospital system, dealing as we are in most cases with very disturbed people, there are going to be incidents. Nothing humanly possible can stop the fact that there will be so-called incidents from time to time. What I am telling the member is that the people who are responsible for ensuring the integrity of the program at that hospital have repeatedly assured me that does not constitute a threat, particularly because we have allowed them to fill vacancies to maintain existing programs pending decisions on changing the programs. I anticipate there will be significant changes and, if the member wants, we can get into some of those.

Again I would say to the member that it would be premature and irresponsible to take the skimpy information that exists at present, even before the completion of an autopsy and before

the completion of the analyses of the sedative involved, to try to relate the demise of this individual with the earlier matter.

Mr. McClellan: Supplementary, Mr. Speaker: In view of the fact that the Queen Street hospital is obviously in a state of turmoil; and in view of the problems documented with respect to wandering patients and with respect to the problems of ex-psychiatric patients; and in view of the events of the past weekend where two patients at the Queen Street hospital were the victims of the kind of therapeutic misadventure that led to the death of Aldo Alviani a year ago—the particular maladministration I refer to involved the use of the drug paraldehyde, which I gather is a relic of 19th-century medicine—will the minister not agree now to call a public inquiry into the quality of mental health care in this province, particularly at Queen Street, with an emphasis on the safety of current practices and procedures involved in the use of drug therapy?

Hon. Mr. Timbrell: Again with respect, Mr. Speaker, I believe some of the methods developed by Madame Curie in the 19th century are still accepted as rather good medicine.

It is true that this particular hypnotic was introduced into medicine, I am advised, in 1882. I may say I am advised of that by a circular that was distributed by the pharmacy at the Queen Street Mental Health Centre many months ago to the staff in the hospital. It was widely distributed, I am told, so they would be aware. This is only a part of the routine procedure whereby the pharmacy does distribute information widely about the drugs in use in the hospital, so that everybody is current with whatever information is available.

While that is true, the fact the drug has been in use for 99 years does not in and of itself suggest it is outdated. My colleague the member for York East (Mr. Elgie), who is a rather renowned physician, suggests it is one of the safest drugs he knows of.

We had an inquiry into mental health services. About two years ago, the report was concluded. That commission under Dr. Abbyan Lynch at St. Michael's College went all over the province and was available to whoever wanted to make representations.

In addition, the problems the member is referring to are at the Queen Street Mental Health Centre. We recognize all is not what it should be at Queen Street. That is why we made certain changes early in the year and decided to have an objective third-party analysis of the

operation. As soon as the report is completed, I fully intend to make decisions and get on with the job of reforming the programs there.

Mr. Van Horne: Supplementary, Mr. Speaker: In spite of the statement of the minister's colleague, the member for York East, who we all know is a doctor, my understanding from pharmacists who are working with drugs like this on a regular basis is that paraldehyde has not been used with any regularity in hospitals for at least 10 years.

Given, as I understand it, that it must be carefully stored in small amounts in well-closed bottles in a relatively cool place and protected from the light, and given that it must be inspected regularly, not only in the pharmacies but out on the wards, would the minister not agree the process of inspection was rather slack, possibly due to shortage of staff? Can he assure us that not only Queen Street but all psychiatric hospitals will have adequate staff for proper inspection of medications used in those institutions?

Hon. Mr. Timbrell: Mr. Speaker, the last point is one of a number that are looked at when the psychiatric hospitals are reviewed for accreditation. To my knowledge, in my five years in the ministry we have never had any indication, with respect to any of the 10 psychiatric hospitals under my jurisdiction, that there was any problem with respect to staffing available to do that job.

Let me tell the honourable member the advice I had today about this drug and the procedures that are followed at Queen Street. First, the member must recognize the decision to prescribe it is a medical decision. It may well be carried out by a registered nurse, but the decision to prescribe and the dosage are the decisions of a physician.

Second, I am told this particular hypnotic is purchased by the pharmacy at Queen Street in half-litre bottles. When needed, the bottles are repackaged into 100-millilitre or four-ounce bottles because, as the member said, it is used in small quantities. Then it is stored in a locked, dark cabinet on the wards, and the wards use the small bottles quickly because they are small bottles. One does not have a large bottle sitting in a ward with the possible problems attendant on that. Finally, I am advised the pharmacy retrieves unused portions weekly.

If the member wants to go into more detail about the procedures used by the pharmacy at Queen Street, I would be glad to get that for

him. I am advised they take every precaution, recognizing the properties and qualities of this particular hypnotic.

INTEREST RATES

Mr. Cassidy: Mr. Speaker, I have a question for the Premier. Now that Saskatchewan has moved to introduce a home owners' protection act, which for the next year will protect home owners against foreclosures on their homes by the banks in cases where the home owner cannot afford to pay the increased rate of interest, will the government undertake to introduce a similar home owner protection law in Ontario?

Will the Premier assure the House that such a law will allow home owners who are in distress either to renew their mortgages at the existing rate or not to be forced to pay for the coming year while avoiding foreclosure? Will the government give that protection for people affected by the high interest rates?

Hon. Mr. Davis: Mr. Speaker, I noticed a press report with respect to the proposed legislation in the province of Saskatchewan. I would tell the honourable member we are quite prepared to look at it, but to give any such assurance at this precise moment, I would not be in a position to do that.

3:20 p.m.

Mr. Cassidy: Mr. Speaker, the Premier has had the situation of high interest rates on his plate since this session resumed in the fall. The problem has been with the government since that time; it has not just come up this week. Is the Premier saying there is no answer at all within the government, at this time?

What solution does the government have for people who are in the situation of, for example, a Mr. Bonato in Windsor, who was foreclosed in August because he was behind in his mortgage payments? He found that not only was his home foreclosed, but so was the cabinet-making business which he had since 1958. He now finds himself evicted from his home as well as from his job, and both those structures are standing empty. There was no protection for Mr. Bonato. Is the government not prepared to move in order to ensure that that situation does not occur during 1982 as a result of the increase in mortgage rates by the banks?

Hon. Mr. Davis: Mr. Speaker, it is not just the banks. I am sure the honourable member is aware there are a number of mortgages, both new and renewals, that form the basis for some

people's sole income. It is not quite as simple as singling out the institutional loans. There are many other forms of mortgage loans from other sources.

I repeat what I said: obviously this government is concerned about the problems facing people wishing to renew mortgages on their homes. The Treasurer (Mr. F. S. Miller) has pointed out that as a government we were and still are prepared to join with the government of Canada in any sort of national policy; but I cannot give the member any assurance that we can devise, nor would it be appropriate to devise, a scheme whereby the government of Ontario were to enter this, other than in a national program.

Mr. Cassidy: Mr. Speaker, perhaps the Premier is not aware of the fact that since April there have been 94 home foreclosures in Brantford; 48 home foreclosures in Kitchener-Waterloo; 30 home foreclosures in St. Thomas, and more were on the way when I was down there a week and a half ago; 13 in Cambridge; nine in Stratford, and the situation is the same in every other community across the province.

Homes are being foreclosed. People are not able to hang on to their homes because of the high interest rates and because their ability to pay has been undermined through unemployment. When the banks have had a \$700-million increase in their profits this year, why could this government not show leadership the way that Saskatchewan has shown leadership by moving in and putting a moratorium on foreclosures for the next year so people can hang on to the most important investment in their lives?

Hon. Mr. Davis: Mr. Speaker, I reiterate what I said, that this government is very concerned about the predicament facing a number of home owners. Again I would reiterate that it is not confined just to the institutional loans; it also applies to people who are renewing mortgages from private individuals where the income from those mortgages may very easily be the sole source of income for those people.

Mr. Cassidy: Don't cloud the issue. Talk about the banks and the financial institutions.

Hon. Mr. Davis: Fine. I am just saying we have to look at this in terms of equity. It is not confined to just the lending institutions. I repeat, we urged this on the government of Canada. We continue to suggest that we would participate in any national program, because we believe if there was to be a policy, it should be of a national characteristic.

WAGE AND PRICE CONTROLS

Mr. Cassidy: Mr. Speaker, I would like to ask a question of the Minister of Labour about the very curious statements he made in this House yesterday, or in the committee yesterday, with respect to his view that there is now a need for some form of wage and price controls.

Could the minister explain why it is, when real wages have been falling in this province over the course of the last four years, and when there has been wage control on average workers in this province over the course of the last four years, that the minister's solution now is to bring in wage controls?

In particular, why is he proposing that, when this government was not prepared to look at the way the consumers were ripped off with the increase in the dairy price for milk; and this government is not prepared to put any limits on mortgage rates; and this government has contributed, through its taxes, to the increase in costs for energy and the increase in costs for health care? Why is the government talking out of both sides of its mouth in this issue?

Hon. Mr. Elgie: Mr. Speaker, first, if the honourable member will take the time to read the article carefully, what I said was "some sort of wage and price controls." I said perhaps we should be looking at some sort of an incomes policy, and that at the very least one should be looking at some sort of a voluntary program with some review of what is happening to incomes, prices, profits, dividends, as well as wages. If he is going to extrapolate from something, I think he should extrapolate totally.

Mr. Swart: Is that the deregulation program?

Mr. McClellan: Oh, the Premier (Mr. Davis) is fascinated by this.

Hon. Mr. Elgie: Hang on, now. The context of that interview really was over the issue of layoffs and what one could do about them. I indicated that no matter how extensive a safety net is provided, and there is a considerable safety net provided through provincial and federal programs, these programs are certainly not enough to help all the people out there with problems, but they are a considerable help. They cannot help all the problems; we all understand that.

What I said was, what are the alternatives? The alternatives facing us are things like supporting uneconomic industry. The member knows that the Minister of Industry and Tourism (Mr. Grossman) and the Treasurer (Mr. F. S. Miller), through a variety of programs and initiatives, are doing all that can be expected of a province to stabilize industry in this province.

The point of the article was—the member knows what the point was—that we are faced with a federal budget which has done nothing to stimulate the economy, a budget which discourages investment. It does absolutely nothing to accomplish what has to be done, and that is create jobs.

Mr. Foulds: What are you doing?

Hon. Mr. Elgie: The honourable member knows where the fiscal levers are. If he does not, then he should not be sitting here. He knows where they are. There is no response to unemployment problems facing society today in that budget. If the member thinks there is, then he is in a different world from mine.

What are we faced with? We are faced with prices that are not remitting in the face of unemployment. We are faced with wages and incomes that show no evidence of any restraint after the Prime Minister's cry for voluntary restraints. We are not seeing any of that at all. Instead we are seeing production cutbacks, with maintenance of prices, and maintenance of present levels and increases requested for incomes. The Alberta physicians refused a 13.6 per cent increase. The member knows that as well as I do.

Surely, someone with the levers to do so has to look seriously at the issues facing us now. We need some stimulation of the economy; it was not there in that budget. That is the context of those remarks.

Mr. Cassidy: Supplementary: Surely the minister realizes his call for a voluntary incomes policy is a Trojan horse which will put workers in double jeopardy. First, they have the risks of layoffs and unemployment, and then they have the second risk which is that the minister and his government are going to come in and penalize them by making them accept substandard wage increases or no wage increases at all.

If the minister is so keen on this kind of policy, can he explain why it is that he was prepared to sit by idly when his colleagues gave doctors a 13 or 14 per cent wage increase less than a year ago? What kind of hypocrisy is that the minister is proposing? Will the minister undertake, quite specifically, to oppose any program of wage controls if it is put forward by the government of Canada?

Hon. Mr. Elgie: The member knows full well that the Treasurer, the Premier and the Minister of Industry and Tourism have those matters under their domain. I am expressing my view. If the member does not like it, I understand it. I

understand labour's view about any incomes policy and I understand management's view on it.

I clearly stated, and I stand by it, that there has to be someone who is looking at prices, wages, incomes, dividends and profits, because I do not see any evidence of any restraint by anybody in society right now.

Mr. Mackenzie: Supplementary, Mr. Speaker: The minister's position is that of the Minister of Labour in Ontario. I think the minister is aware that the last time a Tory leader suggested wage and price controls in this country, the Liberals were quick to jump and impose them. I hate to see the Minister of Labour of Ontario suggesting them—and it is not an add-on in his story; it is the main line, if one likes, in this particular story in the *Toronto Star*.

Is he advocating price and wage controls in this province? Will he or will he not give us a commitment that he will not agree to them in Ontario?

Hon. Mr. Elgie: Mr. Speaker, let us get the record straight. The honourable member should read the whole story. If the member wants to hear the whole interview, he can speak to Mr. Haliechuk and he will see very clearly what I said. I talked about being prepared to look at an incomes policy of some sort, be it voluntary or otherwise.

The member and I both know that labour's great complaint with the previous wage and price controls program was that it hit wages above everything else. I clearly said in that interview, and I will say it anywhere, if there is to be any approach to it, it has to look at all income in society.

3:30 p.m.

I do not think labour fundamentally disagrees with that. I understand there may be other areas that it thinks should be looked at at the same time. I understand that, but on this particular issue, let us not try to paint me into the corner of supporting the previous wage and price controls program. I know there are inequities in that; if the member does not think I know that, then he is being misled.

COBEX REMOVAL

Mr. Wrye: Mr. Speaker, my question is for the Minister of the Environment. The minister will be aware of a public meeting planned for tomorrow night in the city of Windsor, which two ministry officials, including Harold Collins, his pesticides control officer for southwestern Ontario, plan to attend.

Last Monday night, the same Mr. Collins, in a discussion with a group of people including residents and members of the Windsor Occupational Safety and Health Committee, told that group that the herbicide Cobex is no more harmful than aspirin, that there would be no danger to the city should there be a fire at the warehouse where some of the material is now stored, and, to use his words, "The entire affair over Cobex is a tempest in a teapot."

My question to the minister is this: Does he agree with this assessment by Mr. Collins, and if he does not, would he suggest that his official read up on the matter before tomorrow night's meeting so that he can approach it with the seriousness residents of the area expect?

Hon. Mr. Norton: Mr. Speaker, I was not present at the meeting. I do not know what the official of my ministry may or may not have said. I do not know the honourable member's source of information, whether he himself was present or whether he is getting it reported by others in the community. I think it is always risky to start speculating upon secondhand or thirdhand information. I do not intend to get into that game.

Mr. Wrye: Given the concerns of the residents immediately surrounding Flanagan's warehouse in Windsor, and indeed the concerns of the entire community, will the minister make a commitment to the House that the Ministry of the Environment will do a thorough investigation of the facility once the Cobex has been removed to check for any remaining residues? While he is at it, will he respond to the proposal of the Municipal Liaison Committee of November 20 for a reporting of all transportation of hazardous substances through municipalities? Finally, will he agree to change the current waybill system so that the ministry will be able to monitor the transportation of all hazardous substances to and from the province, as well as from one point to another within Ontario?

Hon. Mr. Norton: I will certainly indicate to the honourable member that we will look at those three categories he has cited, provided he will agree in exchange that when he attends that meeting—I trust he is going to be in attendance—he will stand up and relate to his constituents the very fine and responsible job the staff of my ministry and the Ministry of Labour did in terms of supervising the handling of the Cobex, of ensuring that the member was well informed of the difficulties that were encountered as they were encountered, and of ensuring that it was,

once again, safely repackaged in larger, safe containers, the transportation of which is now well under way out of this jurisdiction back to the owner of the material.

If he is willing to go forward and take an absolutely nonbiased position and say what a good job we have done, I will undertake to look at the other aspects of it.

USE OF DRUGS IN MENTAL HEALTH CENTRES

Mr. McClellan: Mr. Speaker, I would like to go back to the Minister of Health, if I may, with respect to matters raised a few moments ago.

If, as the minister suggested a few minutes ago, paraldehyde is one of the safest drugs he knows, is he aware that Mr. Norman Davis was apparently given eight millilitres of paraldehyde, which has the effect of depressing the central nervous system and therefore calming the patient, in combination with 50 milligrams of Nozinan, and that the two drugs taken together could very well have led to a complete respiratory failure?

It illustrates again the concern that has been raised time and time again, most tragically with Aldo Alviani, that there are serious problems with respect to practices and procedures involved in the administration of drug therapy within our mental health centres. If the drug is so safe, why were two people rushed to hospital this weekend because of problems with it? Surely the minister will agree it is in the public interest to call a public inquiry that focuses on practices and procedures with respect to chemotherapy within our mental health centres.

Hon. Mr. Timbrell: Mr. Speaker, I was quoting the opinion about that drug of a learned member of this House who is himself a distinguished physician. I was not commenting with respect to this case because I said in answer to the second question posed today by the member for Hamilton Centre (Ms. Copps) that I am not privy to the results of any of the tests on the deceased. I am not privy to the autopsy report or to any tests carried out on the batches of the drug which have been seized which, by the way, have shelf lives of December 1984 and February 1985. I have been told that.

One of the coroners is Dr. Milton who is known to be a very thorough coroner. She is working on the case. At this point I think we should wait until the results of the autopsy are completed and we have some indication.

We all share the member's concern regarding what types of drugs are prescribed, in what

combinations and how often. We must recognize that what to prescribe, in what dosages and frequency, is a medical judgement. We have a series of procedures in the hospitals for regular briefing and distribution of information.

As a result of the Alviani inquest, as it has become known, every one of the recommendations made by that coroner's jury has been acted upon. In fact I believe the member put a question on the Order Paper to me to that effect.

Mr. McClellan: I have not had an answer yet.

Hon. Mr. Timbrell: I am thinking of the spring session. I thought there was a question.

Mr. McClellan: It is on the Order Paper now.

Hon. Mr. Timbrell: If it is on the Order Paper this fall, it will be answered. The member must recognize that he has buried us in Order Paper questions and we are working our way out from under that.

We distribute information throughout the hospitals about various drugs that are in use, in particular to the nursing stations where it is then accessible to the medical and nursing staff.

We have also funded the Clarke Institute of Psychiatry recently to the extent of \$300,000 to carry out over the next 18 months, and I am not talking about a long drawn out thing, a review which to date has not been carried out anywhere else in the world to my knowledge on the use of drugs in therapy and restraint of psychiatric patients.

The first part of that program, which I believe will cost up to \$50,000 of the \$300,000 we have allocated to the project, will take place in May, five months from now, when the American Psychiatric Association will be holding its annual conference in Toronto. The Clarke Institute will invite a variety of international experts—

Mr. Boudria: Time.

Hon. Mr. Timbrell: It is a very important matter, even in Huron-Bruce.

Mr. Bradley: You got the wrong member.

Hon. Mr. Timbrell: The Clarke Institute will invite a variety of the international experts attending that conference to obtain or develop a consensus of information on clinical guidance and following that, applied research. That has not been done anywhere else in the world. It will probably produce as good or better results than some kind of royal commission that would likely only raise areas that require further research.

We have taken out that step and said to the Clarke Institute, "We want you to help us do

what no other jurisdiction in the world apparently has done to date and that is to see if there is some better way to educate and continue to educate those who are responsible for the prescription and administration of drugs for restraint or therapy."

3:40 p.m.

Mr. McClellan: Supplementary: The minister and I have argued the merits of a public inquiry as opposed to in-house stuff and I do not propose to continue that.

Hon. Mr. Timbrell: It is not in-house.

Mr. McClellan: I want to ask the—

Hon. Mr. Timbrell: Mr. Speaker, on a point of order—

Mr. Speaker: Order.

Mr. McClellan: Sit down. The minister had a chance to answer. He has almost unlimited opportunity to talk. Can he not listen for a second?

Hon. Mr. Timbrell: Mr. Speaker, with the greatest of respect—

Mr. Bradley: No great respect.

Mr. Speaker: Order. The Minister of Health on a point of privilege.

Hon. Mr. Timbrell: Mr. Speaker, on a point of order—

Mr. Speaker: I would submit there is nothing out of order.

Mr. McClellan: By way of supplementary, is the minister aware of the death of Pat Ellerton at the Queen Street Mental Health Centre on August 2, 1981? Can he confirm the death of Pat Ellerton was drug related? Is he also aware a coroner's inquest has been scheduled for January 5, 1982, into that death? Can the minister advise whether that drug-related death involved prescription drugs administered at Queen Street Mental Health Centre? Let me just leave it at that.

Hon. Mr. Timbrell: Let me finish my first answer, Mr. Speaker, and remind the honourable member we are not talking about an in-house review. I knew very well when we started to consider the question of this kind of work that if we tried to do it internally, the member and others would, perhaps rightly, say it was suspect. So we put it out to the Clarke Institute of Psychiatry, which is world renowned in research as well as treatment, to do this work.

With regard to this question, I am sorry I am not familiar with that name. I will check. I am aware there is a coroner's inquest coming up on

another case. As the member knows, every time one of our patients dies in one of our programs it is investigated. That is a requirement of the law. I will see what information we have about that individual, if that is the one, and tell the member what I can. I will be circumspect, recognizing that if an inquest has been called there are limits to what I can reveal with respect to the individual case and the coroner.

Mr. Ruprecht: The minister has been made aware over a period of nine months there has been something substantially wrong in the Queen Street Mental Health Centre. He has also indicated to the director not to admit any member from a government source, whether they be aldermen or MPPs. He has indicated he did not want to talk to any of us in those days.

The incubation period of nine months is certainly over. On this side of the House we expect the minister should have some kind of an inquest or some kind of a checking period to look into the mismanagement of the hospital, and to tell this House precisely what he intends to do. When will he get active on producing results so the communities that surround this hospital will not be in a shambles?

Hon. Mr. Timbrell: Never one to lose a chance for a cheap shot, the honourable member apparently has not been listening to any of the discussion that has gone on here today or on Monday of this week. If he is not listening here, surely he reads the papers. But I will remind him again that we made changes in administration at Queen Street early in 1981. In the spring of 1981 we engaged outside consultants, including external psychiatric consultants. I said here again today that once their report is completed I intend to waste no time at all in getting on with the job of reforming Queen Street. It is that simple.

LIQUOR LICENCE BOARD OF ONTARIO

Mr. Bradley: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations concerning the Liquor Licence Board of Ontario. The minister is no doubt aware that his director of investigation and enforcement in the business practices division, Mr. David Mitchell, was seconded by the deputy minister to act as director of the inspection branch at the Liquor Licence Board of Ontario from April 1980 until January 1981. Can the minister inform us what role, if any, Mr. Mitchell had in prompting the deputy minister to ask the

Provincial Auditor to conduct a review of the activities of the Liquor Licence Board of Ontario?

Hon. Mr. Walker: Total.

Mr. Bradley: Very good. I am glad to hear that.

Supplementary, Mr. Speaker: The minister is no doubt aware that while this Mr. Mitchell was the director of the inspection branch of the liquor licence board, Mr. Mitchell was filing reports from time to time with the deputy minister. Would the minister indicate to what extent these reports influenced the deputy minister to request the Provincial Auditor to conduct a review of the activities of the LLBO? And would he please table these reports and any other reports by Mr. Mitchell on the subject of the liquor licence board in this House? Is the minister prepared to table those reports? And if not, why not?

Hon. Mr. Walker: Mr. Speaker, three questions were asked. The answer to the last two is no. To the first one I have to say it was on the basis of those reports that the deputy minister made many of the observations in his written request to the Provincial Auditor in the last week of January 1981.

Yesterday the honourable member was out of the House when I corrected the record to the effect that it had not been October 1981—that was incorrect on my part. Anyway, it was January 1981. There had been discussions in the six or eight months prior to that. The minister of the day, my colleague the honourable member for Scarborough Centre (Mr. Drea) had indicated he had talked to the Provincial Auditor in the interim. But it was formalized in a direct way through a letter written to the auditor by the deputy minister at the end of January 1981, and that is what prompted the report done by the auditor.

The reports, of course, were based in large part on what had been heard about some of the things that have now been reported on. But they were prompted as well by the reports of Mr. Mitchell, who reported directly back to the deputy minister's office.

Mr. Bradley: Final supplementary, Mr. Speaker: I regret the minister will not table these reports in the House; they would be very interesting. But would the minister indicate to what extent these reports by Mr. Mitchell influenced the liquor licence board to inform Mr. Mitchell in January 1981 that his services were terminated?

Hon. Mr. Walker: Mr. Speaker, it was just time for Mr. Mitchell to return. The job had been done by then, anyway, so—

Mr. Nixon: Was he fired?

Mr. T. P. Reid: Is that a new word for “fired”?

Hon. Mr. Walker: No, I do not think you would consider it that way. The reason he went down there—

Mr. T. P. Reid: That is not normal procedure.

Hon. Mr. Walker: Oh, it was very simple. The—

Mr. Smith: First you blew the whistle on him and then you got rid of him.

Mr. Speaker: Order.

Hon. Mr. Walker: Wait a minute. The Leader of the Opposition has not figured out where he came from. Does he not understand? He was our investigator; we wanted the guy back. Why would we not?

SOCIAL ASSISTANCE

Hon. Mrs. Birch: Mr. Speaker, yesterday the member for London Centre (Mr. Peterson)—and I am sorry he is not in his seat right now—inquired about the matter of the resident at the Parkwood chronic care hospital who incurred an overpayment on his family benefits file as a result of receiving an inheritance from his mother's estate.

I have discussed this situation with my colleague the Minister of Community and Social Services (Mr. Drea). The actions taken by the ministry officials were in keeping with the requirements of both provincial and federal laws that all income not specifically excluded must be taken into account in determining a person's entitlement to social assistance. I am pleased to inform the House the Minister of Community and Social Services has directed that, notwithstanding the fact that an overpayment may have been created, no further recovery action will be taken. Any moneys already recovered will be refunded to the individual.

In the future a similar policy will be adopted in respect of all cases residing in chronic care situations where they receive an inheritance of less than \$1,000.

URANIUM INDUSTRY EMPLOYEE SAFETY

Mr. Martel: Mr. Speaker, I have a question for the Minister of Labour. Recently a Mr. Thomas of your ministry conducted an investigation at the request of the United Steelworkers

of America in Elliot Lake. Is the minister aware that while he found many unsafe conditions he termed hazardous, he indicated at the same time that the workers were not in imminent danger, and consequently the men had to go back into those conditions.

When are his inspectors going to apply Bill 70 to the workers in the Elliot Lake area so they have the protection of the act, as do all the other miners in this province?

3:50 p.m.

Hon. Mr. Elgie: Mr. Speaker, I am not aware of that problem, although I certainly will look into it. But the real issue the member is talking about is that uranium miners in this province come under federal jurisdiction. I know there are those who argue whether that is right or wrong, but that has been the legal interpretation. I hope the member knows we have made efforts to try to ensure that changes are made to the Canada Labour Code to reflect the appropriate and good things in Bill 70.

It is my understanding we do have a firm assurance from the federal Minister of Labour that those changes will be introduced. I understand the discrepancy between the two acts, and the member knows it troubles me as much as him. I just do not know what I can do about it at the present time, other than encourage the federal government to get on with it faster than it has done to date.

Mr. Martel: Supplementary, Mr. Speaker: The federal minister has given this minister assurance it is going to come. Meanwhile, Saskatchewan uses its legislation by writing into the uranium industry licences that the Saskatchewan law will apply. In view of these points why does the minister not go that route? He could apply the Ontario law now with the federal commitment coming. If it happens to end up in a court case he would take his chances. But why not apply it and to hell with the federal government?

Hon. Mr. Elgie: I am not personally aware of what has happened in Saskatchewan. I will explore it and see if it is something that is feasible for this province. But it is pretty difficult to ask inspectors to disobey the law. They are subject to certain charges for disobeying the law as it exists. Let us not confuse that with the fact we both have the same interest in getting the legislation comparable. There is no argument about that, and if there is anything to be done to hasten it I will be glad to do it.

Mr. Foulds: Supplementary, Mr. Speaker: Why does the minister find it so difficult to have his inspectors apply the provincial law in this case, when there is a collective agreement between the company and the union that agrees to the provincial standards?

Mr. McClellan: They could even sign an additional agreement.

Mr. Foulds: Can the minister reply to that? Why do they not implement the provincial standards when both the company and the union have agreed to it.

Hon. Mr. Elgie: I hope the member understands that provincial officers can only act within the scope of the legal authority given to them. A collective agreement gives power to the parties. I would have to have counsel verify it but it is my view that under a collective agreement a refusal to work under terms of that agreement would result in a grievance, not in the calling in of an inspector, unless it was to see if there was compliance with the legislation that applied. That is my initial interpretation, but I will be glad to see if there is anything other than that view that is legally correct. I will be glad to transmit that evidence to the member.

REPORT

STANDING COMMITTEE ON THE ADMINISTRATION OF JUSTICE

Mr. Treleaven from the standing committee on the administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr26, An Act to revive Waltham Creative Printing Limited.

Report adopted.

INTRODUCTION OF BILLS

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Wells moved, seconded by Hon. Mr. Grossman, first reading of Bill 191, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to.

PROVINCE OF ONTARIO SAVINGS OFFICE ACT

Mr. Philip moved, seconded by Mr. Grande, first reading of Bill 192, An Act respecting the Province of Ontario Savings Office.

Motion agreed to.

Mr. Philip: Mr. Speaker, this bill provides for an expanded Ontario savings office with the power to make loans and offer financial services as well as receive deposits.

ORDERS OF THE DAY

McMICHAEL CANADIAN COLLECTION AMENDMENT ACT

Hon. Mr. Baetz moved second reading of Bill 175, An Act to amend the McMichael Canadian Collection Act.

Hon. Mr. Baetz: Mr. Speaker, it is my welcome duty to present to this assembly for debate, prior to second reading, Bill 175, An Act to amend the McMichael Canadian Collection Act.

This bill will do four things. First, by virtue of section 1, it will prescribe the uniquely Canadian focus of the collection with even greater precision. In doing that it draws language directly from the original 1965 agreement between the McMichaels and the province.

Second, by virtue of section 2, it will ensure to an even greater extent than previously that artworks donated to the collection by many generous Canadians will not be disposed of without the complete understanding and the consent of the donor.

Third, by virtue of section 3, it will make gift shop proceeds available for general purposes rather than for art acquisition alone.

Fourth, by virtue of sections 4 and 5, it will establish a position of founder-director emeritus, permit a salary for that position and install Mr. Robert McMichael in it.

To sum up, Mr. Speaker, this bill will continue and enhance the vision that the McMichaels had when they gave their collection, home and land to the crown in 1965. Further, it will keep faith with the intent and purpose of the many subsequent donors and the taxpayers of this province who ultimately made that vision a reality.

It will also permit Mr. McMichael's continued involvement in the important work of the gallery by creating specifically for him, and with his own considered and written endorsement, a new role tailored to his own personal strengths and abilities. In this role, Mr. McMichael will continue, as he has since April 1, 1973, to be the only trustee who is permitted by law to be compensated for his work on behalf of the collection.

As honourable members know, the McMichael's rights have been the subject of much concern

and discussion during the last month. In view of the breadth and detail of that discussion, I would like to make several points.

The first and most important thing that must be said is that the McMichael Canadian Collection would not have come into being were it not for the wit and will of Robert and Signe McMichael. They had a dream. They were determined to see it realized. And it was realized, in part because of their manifest generosity. Ultimately, however, this dream could be realized because the people of Ontario, through the crown, were willing to assume responsibility for the collection's wellbeing and its enormous growth.

The second point I would make is that, as I set out in detail for this House on November 26, both the board of the collection and the government have honoured all of their obligations to the McMichaels and then some. Those obligations were first set out in the November 18, 1965, agreement by which the McMichaels made their gift to the people of Ontario. Among the provisions, that agreement also provided that the collection would be managed by a five-member advisory committee composed of the McMichaels, one member appointed by the Lieutenant Governor in Council, one by the Metro Toronto Conservation Authority and a chairman appointed by the four. That provision was entirely appropriate for that day.

4 p.m.

Over the next seven years, however, the collection grew tenfold in size and complexity. That growth was nourished by public support through donations of art, through government construction and operating grants and tax credits for donations received. By March 1971, a full 19 months before the McMichael Canadian Collection Act was introduced in this assembly, it was clear a special act would be required to provide for the growing collection. It should surprise nobody that this need was first seen by the McMichaels and the rest of the advisory committee.

At a meeting on March 29, 1971, the McMichaels and the other three members of the advisory committee resolved unanimously to prepare and consider, "a draft enactment establishing an appropriate administering agency for the gallery and collection," which would be, "a separate crown agency specifically established for the purpose and having express powers of management and proprietorship."

In accordance with the wishes expressed in that minute, the act to establish the McMichael Canadian Collection and make it a separate and distinctive crown agency was ultimately intro-

duced. During the debate on that bill the member for Riverdale (Mr. Renwick) argued it was essential to include in the bill a reference to "the obligations of the corporation, to carry out the obligations imposed on the crown," by the 1965 agreement.

The minister of the day said he was "satisfied that the intent of the bill is to accomplish just that." In other words, it was not necessary to include a reference to the 1965 agreement in the act because all of the agreement's essential points were provided for. The McMichaels were clearly satisfied as well. When the bill was brought forward they did not object, having recommended its enactment in the first place.

As honourable members know, the act provided for a fundamental change in the management and control of the collection. Instead of a five-member advisory committee, it provided for a board of trustees of between five and nine members which was intended to have "express powers of management and proprietorship."

Quite properly, the law made the McMichaels trustees for as long as they cared to serve. Equally properly, the Lieutenant Governor in Council was empowered to appoint the other seven including the chairman. The public interest required this basic change to reflect not only the public's ownership of the collection but to reflect the enormous public investment in the development of the collection.

It is perhaps instructive to reflect that, when the collection was given over to the province, it was situated on 14 acres of land. In the years since, the crown has added another 86 acres. When the collection and property were given over to the province they were valued at about \$815,000. In the years since, individual citizens and the government have invested an additional \$23 million in its development and operation.

So in a very practical sense, as well as in the strictly legal sense, the collection has evolved into a major public institution. It is an institution that requires a strong board of trustees, competent to deal effectively with the heavy responsibilities that have been placed on the board, and a board of trustees composed to represent the public at large and to be accountable to it.

As Mr. J. Allyn Taylor, the distinguished chairman of the McMichael board stated, "The trustees are accountable to the government for the affairs of the collection. The taxpayers of Ontario at the present time provide virtually the sole operating support for the McMichael Canadian Collection. The board . . . of which the McMichaels are members, must always have

the full authority to run the affairs of the collection if the trustees are to be held accountable."

Held accountable! We do hold them accountable. We hold many boards accountable. We can do this only if, with that accountability, we give the boards the authority to match the responsibility. This we feel is the only way we can operate effectively our great cultural institutions at the appropriate arm's length from government.

I want to say here that the people of Ontario have been faithfully served by the board of trustees of the McMichael Canadian Collection, and I would like to take this opportunity to pay tribute to the citizens of Ontario who have constituted this board. They are: Mr. and Mrs. McMichael, Mrs. Anna Ruth Atkins, Mrs. Cicely Bell, Mr. Robert Dowsett, Mr. Stuart Ellis, Mr. Hamilton Larrett-Smith and Mr. Jack Wildridge. They have all devoted a tremendous amount of their time and talent to the affairs of the collection.

I am sure none of the trustees would take issue with me if I single out J. Allyn Taylor for special mention. Mr. Taylor has been an outstanding chairman ever since the act came into force on April 1, 1973. He is a distinguished Canadian. He has been the chief executive officer of a major financial institution, a director of a number of Canadian companies, the chancellor of an eminent Canadian university, and an officer of the Order of Canada. He has been appointed recently as chairman of the Ontario Press Council.

In his reasoned amendment, the member for Riverdale (Mr. Renwick) has submitted that the letter as well as the spirit of the 1965 agreement must be complied with.

It is impossible to comply with the letter for a number of reasons. Although the general intent and spirit of the act and of the agreement are in harmony, they accomplish that intent in different ways. Even the name of the collection has changed. Because of those differences, the two are inconsistent and really cannot stand together. Note that control of all aspects of the collection was vested in an advisory committee under the agreement, but under the act it is vested in a board of trustees. It is apparent that, legally speaking, control cannot be vested in both.

I believe the true meaning of the comments of the minister of the day, Mr. McNie, is that it was unnecessary to refer specifically to the 1965 agreement in the act because all its essential

points, its spirit and its objectives had been restated. It would seem that Mr. McMichael's interpretation of this comment, that the agreement itself would continue to apply, was incorrect, and in fact impossible.

For example, if the act were to embrace the letter of the agreement as well as the spirit, Robert McMichael would never have been paid a salary as the director of the collection. I want to make it very clear that the government is in no way begrudging providing Mr. McMichael with a salary for his services. On the contrary, the new amendment to the 1972 legislation provided for a salary, and quite appropriately so, but if we stuck to the letter of the earlier 1965 agreement that would not have been possible. He and Mrs. McMichael would still be required to donate to the crown all suitable art work they ever acquired personally.

Another example of the inappropriateness of the 1965 agreement is that agreement prohibits the display of anything except paintings. Today, an important and much loved part of the collection is its large display of sculpture and Indian artefacts, which nobody would want us to disperse.

The agreement effectively made the collection an operating division of the Metropolitan Toronto and Region Conservation Authority. Would the member suggest it revert to that status, rather than an independent crown agency as set out in the act?

The only individual power which was not carried forward in the act was Mr. McMichael's right, with advisory committee approval, to enrich the crown by building new buildings at his own expense. Under the act, all new buildings are paid for by the corporation itself, although Mr. McMichael is still free to donate money for the purpose. He has understandably never requested the reinstatement of this power, in the light of the changed circumstances.

In his reasoned amendment, the member for Riverdale also states that the size of the board of trustees should be reduced to five from nine, and that the appointment of the chairman should be "consistent with and comply with the provisions of the agreement respecting the advisory committee as originally established." In the light of everything that has happened at the collection over the last 16 years, that would be totally inappropriate.

The McMichaels' counsel has submitted that the advisory committee as constituted originally "gave and was intended to give control to Robert and Signe McMichael of the advisory

committee." Such contemplated control, if ever envisaged, would be impossible today because it ignores totally the growth of the collection, almost entirely at public expense, since 1965.

4:10 p.m.

The McMichaels have always had a respected voice in the control of the collection. However, under both the act and the agreement they have always constituted a minority of the collection's governing body; that is, two of five in the agreement, two of five to nine under the act.

The crown's majority influence reflects the crown's sole ownership of, financing of and responsibility for the collection, the fact that donors such as the McMichaels must give up control over their donations to make them true gifts for tax and other purposes, and the fact that the monetary value of the McMichaels's contribution to the collection is now less than 10 per cent of the whole invested, whereas at the time of the agreement it represented nearly 100 per cent.

The trustees of the collection and the government are unequivocally dedicated to ensuring that the McMichaels' wishes about the ambiance of the collection will be sustained. That is why the board, with the support of the government, has embarked upon a multimillion-dollar renovation program. This program is going to great lengths to ensure the safety of the collection and of the hundreds and thousands of people, including school children, who visit it every year. The renovations will also make it possible for people in wheelchairs to see the whole of the collection for the first time.

Equally important, in this program the board is also going to great lengths to ensure that the renovations will be in full harmony with the existing architecture. The public's safety, of course, must take precedence. The board is convinced beyond a shadow of a doubt that the architects can achieve the safety requirements and at the same time sustain the existing ambiance of the collection.

The board and the government are also dedicated to ensuring that the character of the collection is maintained. That is why the bill before us describes with even greater precision than the act, that the original nature of the content of the collection will be sustained.

As I have told this House before, nothing can ensure the integrity of the collection more thoroughly than the law itself. It is the law which can guarantee the objectives in perpetuity. It is not human beings who can maintain that.

Therefore, I would submit it is in the best

interests of the people of the province, the board, the McMichaels and anybody else who shares a passion for this magnificent collection, to see this bill passed expeditiously.

Mr. Smith: Mr. Speaker, I want to make my comments relatively brief and to the point. I deeply regret that this matter of the McMichael collection has become a matter for the amount of public debate and the amount of continuing debate that will undoubtedly ensue following the discussion of this bill.

I do not believe it is in the interests of the province, which after all must wish in the future to be able to attract similar donations, nor in the interests of the cultural community, of which the McMichaels have been giant members. I do not believe it is in anybody's interest to have a lengthy, personalized discussion about these great benefactors, Bob and Signe McMichael, who have done so much for Ontario.

I do not want to go into detail, and I will restrain myself from doing so, about the statements made in this House by the minister himself, the way in which the letter from Mr. Robinette on behalf of Mr. McMichael was quoted out of context, the kinds of references made inside and outside the House by the minister himself.

I will try to confine myself to what has actually happened. The bill which has been presented to us now contains virtually nothing of importance. In point of fact, the draft bill, which came to light when we raised it in the House, was gutted by the minister and this rather innocuous bill has been substituted for it simply so that the minister can say he did not back away from presenting a bill at all.

In fact, we have noted that the draft bill which was talked about in this House was not an early draft but actually a relatively late draft and obviously would have been the subject of the bill presented had it not been brought to public attention and we not had debate in this House.

I note, I would like to say from the outset, that the member for Riverdale—who I must say showed a great deal of good judgement when he questioned Mr. McNie and the government back in 1973, I believe it was, and seemed to sense that there was something afoot even then in the government's mind—has on this occasion given notice to the House that he intends to introduce a reasoned amendment.

It will be our intention to support his reasoned amendment and the Speaker will well understand, the way things are handled in the House, we will not be given a chance to vote on

his amendment but rather we will be asked to answer the question, "Shall the bill now be read a second time?" At that time we shall vote against, so as to show our support for the amendment presented by the member for Riverdale.

Depending upon what happens then, assuming that the bill will be read a second time because of the weight of numbers on the government side, it will be our intention to send the bill to standing committee. In standing committee, we hope to have an opportunity to question pertinent witnesses and discuss some of the general aspects of the McMichael collection, the legislation that is being presented to us and related matters.

It is obvious from the minister's statement that the minister is admitting very freely now something which my predecessor in this House, Mr. McNie—a good friend of mine—did not believe was the case. He is admitting in fact that the act passed in 1973 did take the place of—in the minister's mind, at any rate—the solemn agreement signed by Hon. John Robarts with the McMichael family at the time, in 1965, that the McMichael collection began as a matter for the public interest.

In fact, it seems to me that had it been admitted at the time that the purpose of the act was to, in various ways, remove from the record and remove from legal standing the original agreement, I suspect the House and the public of Ontario might have acted very differently at the time. The reassurance given by the minister at that time, that the act was merely the embodiment of the original agreement, probably led to the quiescence which was noted at the time on the part of the cultural community. Had they known then that the government was using the act as way of getting away from Hon. Mr. Robarts's signature on that agreement, I believe there would have been an outcry from the public, and a very justifiable one indeed.

I believe the minister is playing games with history today by suggesting to this House that the McMichaels well understood the implications of the act and the cultural community well understood it and they all wanted the original agreement replaced by this act. I seriously doubt that. I have good reason to seriously doubt that. I do not believe the public of Ontario will believe that.

To understand the situation, we have to really go back to the very basic idea that underpins the McMichael collection and the great donation made originally. I would ask all of us to consider

this in the context of whether the government of Ontario has a better record, through its various boards and agencies, of administering things like an artistic collection; whether they have really a better record than the McMichael family.

Mr. Stokes: They have mishandled their own collection around these buildings for years.

Mr. Smith: Yes, that is right. As the member for Lake Nipigon points out, the collection that the government of Ontario owns in this very building has been mishandled for many years and only recently has an attempt been made to bring it to some reasonable level.

In fact, the Ontario government's record does not really stand up beside the record of the McMichael family. The McMichael collection at Kleinburg, even without a tremendous amount of publicity, without all the advertising that the Ontario government is fond of, has been able to attract a greater number of visitors with much greater success and aesthetic enjoyment than, I suspect, any other collection in Ontario, with the exception of when the King Tut exhibition was present here in Toronto.

4:20 p.m.

In general terms, the record of the McMichaels is enviable indeed. That is not to downplay the role of the board in any way. Over the years, the board has given great service to Ontario. It is interesting to note how that board was originally formed and what happened subsequently.

Once Mr. and Mrs. McMichael thought of it, the idea of that collection could not go forward in the way it might have had the McMichaels been extremely wealthy people like the Guggenheims and the Rockefellers. If they had been that wealthy, they could have set up their own collection on their own land in any way they pleased and controlled it in perpetuity exactly as they wished. But they were not wealthy enough to do that. They were sufficiently wealthy, I am happy to say, to acquire the collection and make a generous donation, but they were not super wealthy like the Rockefellers or others. They were not in a position to run the thing exactly as they might have wished.

Similarly, the government on its part did not feel it could simply acquire collections like this on the open market very easily. The government did not see its way clear to that kind of activity. The government did not have great experience in this regard, and Mr. Robarts felt, I think correctly, that a unique arrangement was

required, something different than either the government setting out to build its own museum somewhere or the McMichaels setting out to run their own collection. In fact, a sharing was required, something perhaps unprecedented. In 1965, they came up with an agreement to share the responsibility for the operation of this collection and its future development.

Of course, things have progressed. The minister has pointed out there has been an evolution of the collection and the grounds. That, I would think, is a good thing. It should not stagnate. Mr. Robarts was a far-seeing man who believed at the time that there might well be an evolution of the collection. I do not believe he ruled that out when he put his signature to the agreement.

Because the McMichaels were not super wealthy and Ontario was not in a position to start its own collection of the Group of Seven, a sharing was agreed upon. This sharing was not quite 50-50. The province was favoured, and understandably so where public funds are involved. The sharing, in terms of control, had a board consisting of the McMichaels as two persons, two other persons appointed by the Lieutenant Governor in Council and a chairman agreeable to the four of them but appointed by the Lieutenant Governor in Council. Therefore, the government had a veto over anybody who might occupy that position.

This board functioned very well. At the time of the 1973 act, there was no clamouring to have this board supplanted in some way. The McMichaels were brought in to listen to the act the government presented on behalf of the cabinet, the McMichael Collection Act of 1973. The minister says we changed the board from five persons to a board consisting of from five to nine persons, which is the way the act reads.

"The McMichaels did not object," says the minister. He is right about that. I have talked to the McMichaels, and they admit to being very naïve. They did not have a lawyer advising them at the time. They came here in the belief that the very government with which they had arranged this deal in the first place, to which they had made a donation and with whom they affixed their signatures, could be trusted. They have learned differently since. Certainly at the time, they believed the government was entirely trustworthy.

They were given assurances by the government which said, "We say from five to nine persons, but that will not materially change anything. The spirit of the act as it was before will be continued." Quite plainly, the spirit of

the act was that there be an equal number of directors appointed by the McMichaels and the government. There was nothing in the wording of the act to preclude, when these five to nine members were going to be appointed by the Lieutenant Governor in Council, those appointments occurring half on the recommendation of the McMichaels, including the two they themselves represented, and half on the recommendation of the cabinet alone, and then there being a neutral chairman, acceptable to all, appointed by the cabinet.

There was nothing to preclude that, so the McMichaels believed the government. They believed, when they were reassured by the very government John Robarts represented when he affixed his signature to a solemn document a few years ago, that the spirit of the original agreement would be maintained, and that they had nothing to fear from the fact that we were moving from a five-person advisory committee to a board consisting of five to nine persons appointed by the Lieutenant Governor.

In fact, for the first two or three or maybe even four years after the enactment of that legislation it appeared to the McMichaels they were right in trusting the government, they were right in not being represented by legal counsel at the time, and they were right in accepting the assurances given by members of Her Majesty's government at that time, because for the first three or four years no appointment was made to the board without checking it out formally or informally with Bob and Signe McMichael.

In fact, most appointments were made of people they themselves suggested, and that was at the wish of the government. That was not an attempt by the McMichaels to do anything contrary to the wishes of the government. The government wanted it that way. They found it easier that way.

Then things changed about three or four years ago. We have heard since then about the alleged shortcomings of the McMichaels as administrators, the alleged shortcomings of Bob McMichael as an organizer of the paperwork involved. We have heard that certain experts were brought in to look at fire safety and the humidity aspects and various aspects of this kind, and that there were shortcomings involved in Bob McMichael's administrative capacity.

I do not think anybody is insisting that Bob McMichael be regarded as the world's greatest administrator. He himself was quite prepared to have administrative help come in, to have another director come in to take over the

day-to-day management. There was no concern in his mind about that. Of course, in all this business about the fire regulations and so on, one would think there was no board at all, that it was all Bob McMichael somehow undermining fire safety in Ontario.

Nothing could be farther from the truth. In the first place, one will find out if one examines the record that any request made for additional funds from the government was frequently met with refusal. Much of the time they were held to a zero increase in terms of capital cost involvements and a very small increase indeed in terms of staffing.

Many times, there were questions of fire and of this and that, which people are accusing Bob McMichael of ignoring, but the board was not exactly clamouring for these things to be done. Many other times, the danger was not quite as represented by some of these experts. It is an interesting fact, for instance, that the very fire chief who is frequently quoted as saying there was a fire danger is now a member of the council up in that municipality, and as a member of the council asked that that particular collection remain open during the present renovations when there was recent debate in Kleinburg about it.

If people were truly in danger, one would hardly expect this former fire chief to be voting in favour of keeping the place open even another day. I think a lot of this has been overstated, but, be that as it may, even accepting that Bob McMichael may not have been the best administrator, there is nothing to say we cannot have another administrator. There is another person there now directing things, as the minister well knows.

But I think it is very understandable that Bob and Signe McMichael, when they signed with John Robarts back in 1965, wanted to believe that Ontario would at least honour its commitment that the nature of the collection would be along the lines the McMichaels had envisaged when they had this great concept in the first place. It is one of the most successful cultural concepts ever to be presented in Ontario. People come from all over to be there, to breathe in the atmosphere of that place, to enjoy and appreciate the aesthetics.

The McMichaels have made a great achievement. The minister and all his mandarins and all his clerks put together will not live long enough to achieve anything of the creative scope and brilliant originality of the idea the McMichaels

conceived and which they and Premier Robarts put their signatures to in solemn agreement in 1965.

4:30 p.m.

Yet all these clever mandarins and these wonderful business people are now saying we have got to shunt the McMichaels aside somehow, that we have somehow got to get them out of the way. It may well be that on administrative grounds we need other people to administer it. Nobody denies that; we all understand that. But it is not at all reasonable or fair—and for that matter it may be counter-productive if we ever hope for further donations of this kind in Ontario—to undermine the very spirit of shared responsibility that was recognized in the original agreement and that the McMichaels had every right to expect would be maintained now.

Accuse the McMichaels of naïvete, if you like, in trusting the government when the 1973 act came in; accuse them of lacking the administrative expertise needed nowadays for a very large multimillion-dollar operation, if you want to make those accusations. But that does not give the government the right to go back on the very fundamental concept that the nature of the collection should be something over which the McMichaels would have, not control as the minister likes to pretend in his misleading statements, but a shared control on an equal basis with the government on the board of directors and with a neutral chairman who is appointed by the government but acceptable to all the directors. That surely is a concept the government ought to accept, and that is the reason we are to going to accept the reasoned amendment of the member for Riverdale when he has a chance to present it.

We are aware that bits and pieces of the original agreement might have needed to be updated in legislation, and we have no objection to the fact that legislation has been presented to the House. But back in 1973 a very fundamental matter was slipped through against the will of the McMichaels, even though they did not object at that time. They did not object because they honestly trusted the government to do what it said it was going to do, and that is to make no fundamental change in the concept of the 1965 agreement with respect to shared control.

For the first several years the government made no change from their previous practice. It was only afterwards that there came to be this power struggle, this eventual clash of personalities and this very unfortunate event in which

other members of the board, along with the government, seem to have turned against the McMichaels, who began to feel more and more isolated in a very tragic, personal way.

I think this matter has been abominably mishandled by the minister. I just cannot imagine any government handling a matter as sensitive as this in such a ham-handed way. It is only the experience we have had with this minister, who has demonstrated the same ham-handedness in so many other ways, that leads us even to begin to understand how things have gone in the relationship among the McMichaels, the ministry and the board.

We are not here to denigrate the contribution made by the board—not at all. Never have we said anything against the members of the board; they have undoubtedly served to the best of their abilities. But there was a change in recent years. In recent years, instead of discussing the appointments with the McMichaels and having this sort of shared responsibility, the government appointed the board members without a word to the McMichaels. Names the McMichaels never heard of, people who were perhaps door-knockers for the Conservative Party in elections, were being appointed, and not necessarily people with any background in the cultural community either.

I think the government has mishandled this entire matter. The administrative problems with the McMichael collection are perhaps real, but they could have been dealt with in a much more sensitive way without occasioning the tremendous personality clashes and the unfortunate lack of sensitivity that has been demonstrated.

To sum up, the problem started in 1973. At that point the government brought in an act which superseded in many ways the spirit of the agreement of 1965. It pretended it did no such thing. It told the House and the McMichaels it did no such thing. For several years it acted as though it did no such thing.

Then in the midst of a personality clash and some administrative difficulties, the government resorted to using that act in a way that is totally contrary to the fundamental essence of the shared responsibility envisioned by John Robarts and Bob and Signe McMichael back in 1965.

That is when the deed was done. The legislation presented to us now is virtually of no consequence. It is a watered-down, gutted version of something which would have been much more harmful had we not intervened

publicly to draw public attention to the duplicity of the minister. It is the 1973 act that really has to be changed to bring fairness back to the McMichael collection issue.

We will say publicly that we believe the government has gone against the fundamental spirit of the agreement reached with the McMichaels and signed solemnly by John Robarts. We are with John Robarts in this way and not with the Minister of Culture and Recreation, let me assure the House.

We believe the McMichaels have been meted out very shabby treatment by this minister. Whatever he will present by way of evidence in committee, whatever he will say about administrative problems, whatever he will say about fire regulations or donations and so on, the fact is McMichael has done more for Ontario than Ontario has ever done for McMichael. Let us never forget that fundamental fact, no matter how many documents the minister cares to present about fire regulations or administrative difficulties.

McMichael has done more for this province and this country than a million Reuben Baetzes will ever do. Let us make that very plain. I will stand with Bob McMichael, I will stand with John Robarts, but I will not stand with the Reuben Baetzes of this world no matter what documents they care to present in committee.

We obviously are going to committee on this. In committee, the minister will undoubtedly do his best to blacken the reputation of one of the greatest benefactors in the history of Ontario. He will succeed only in blackening his own name, which is already a deep shade of grey and is well on the way, after today and other debates, to becoming blackened of itself.

If he wants to do that, that is fine with us. We will stand with those millions of Ontarians who know that John Robarts was right in signing a decent, shared-control agreement with the McMichaels in 1965. We will stand with those people against the bureaucrats and those who seek to blacken the reputation of one of the finest citizens this province has ever known.

Consequently, we will vote against this bill. We will do so not because of anything in it particularly. It is an almost meaningless piece of legislation. There are some things we would like to change in it, but basically we will vote against it because we support the reasoned amendment of the member for Riverdale.

Then we will see in committee, when the public has a chance to learn of the underhanded way in which this ministry has dealt with the

McMichael people and the McMichael collection over the years, especially the last few years, that this unfortunate clash of personalities, this unfortunate division between the board and the McMichaels, is something that could have been avoided had it been more sensitively handled by the government. We will see that the only way to recapture trust is to return to the real spirit of the original agreement solemnly signed by John Robarts in 1965.

Mr. Renwick: Mr. Speaker, first I would like to move the reasoned amendment which stands in my name.

4:40 p.m.

The Deputy Speaker: Mr. Renwick moves, seconded by Mr. Lupusella, that Bill 175, An Act to amend the McMichael Canadian Collection Act, be not now read a second time but be referred back to the minister with instruction to return the bill with provisions which will ensure compliance by Her Majesty the Queen in right of the province of Ontario, hereinafter called the crown, with the letter and spirit of the agreement between the crown, Robert McMichael and Signe McMichael, and the Metropolitan Toronto and Region Conservation Authority, dated November 18, 1965, namely:

(1) by reflecting the obligation of the crown, with the advice and assistance of Robert and Signe McMichael, to develop and maintain in perpetuity at Tapawingo the collection of art reflecting the cultural heritage of Canada known as the McMichael Canadian Collection originally established by gift to the crown from Robert and Signe McMichael pursuant to the agreement;

(2) by defining the term "McMichael Canadian Collection of Art" in a manner consistent with the intention of the agreement;

(3) by requiring the corporation known as the McMichael Canadian Collection to covenant expressly to be bound by the provisions of the agreement as required by the agreement;

(4) by reducing the number of the members of the board of trustees of the corporation to five and making provision for the composition of the board and the appointment of the chairman to be consistent with and comply with the provisions of the agreement respecting the advisory committee as originally established;

(5) by annexing the agreement to the McMichael Canadian Collection Act as a schedule so that the agreement will form a permanent part of that act.

Mr. Renwick: Mr. Speaker, it is with difficulty that one enters into debate on this matter, because one cannot understand the course of events that led us to this impasse which the minister has presented to us and which his government is now perpetuating.

The minister knows full well that when I placed the notice of the reasoned amendment it was with the intention of conveying to the minister and to the government of which he is a minister—and I took the liberty of speaking to the government House leader some days ago about it—an indication that there was a spirit of willingness and co-operation on both sides of the House, apart from the minister and the government, so that in some way the inadequacies of the present bill and the problems that this bill reflects as unsolved could be solved by mutual co-operation. The minister rejected that overture.

I want to make one comment about the reasoned amendment. I spoke about the letter and the spirit of the agreement of 1965. I referred in my reasoned amendment to one portion of it, to a reconstruction of the board of trustees of the McMichael Canadian Collection, that is, the corporation, on the basis of the balance that was created in the original agreement.

I specifically told both the minister and the government House leader there was no magic in the numbers; if it was the intention that Robert and Signe McMichael would have the opportunity to nominate an additional number, such as four or six or eight, and the government would nominate the other number and the two groups would appoint a chairman, that was within the realm of discussion and we could certainly reach agreement about that matter.

I also very clearly indicated to the minister and to the government House leader that if that was not acceptable, another alternative could be put forward that Robert and Signe McMichael would name a panel of 10 or a dozen names from which the government would select, say, six, and then the government would appoint another six and the two groups of six would select a chairman.

I want to make it very clear that the reasoned amendment I placed before the assembly is not etched in stone. It was an effort, joined in by my colleagues in the Liberal Party on this particular occasion, to see whether we could not have agreed with the government to withdraw the bill and to reintroduce a bill that dealt with the guts of the problem that has been created by this issue. The minister saw fit to reject it.

I am not interested in going into what may or may not happen when the bill goes out to the committee. I want to say I am pleased, given the attitude of the government, that the bill must go to committee. The reason the bill must go to committee is that there are significant issues raised about the capacity of this minister, and the capacity of the ministry, to deal with the public institutions of the province of Ontario in the cultural field.

The very existence of this present issue indicates very serious concern, which will reverberate through all of the institutions in which this government is a participant, whether it is at the community level, or at the level of the Art Gallery of Ontario or the Royal Ontario Museum, or, by coincidence—which is reflected in another bill, I believe the next bill, which is to be called very shortly in this House to establish another collection—another benefaction to the province. It is not a question of the benefaction; it is a question of the capacity of this government to deal with these matters.

I want to make one other point. I want to make it very clear to the assembly that everyone understands what the minister is saying, that when a gift such as the gift of the McMichael collection originally was made to the province, it implied that as the years went by, and as the contributions of the government increased, the interest of the community of Ontario was going to take the place of the original private interest. Everyone understood that, and the obligation of the government was to protect that public interest.

But I disagree with, and I dissociate myself from, any view that having originally made the gift that created the collection, in the name of the province of Ontario, somehow or other the passage of time and the contribution of moneys by the government will be allowed to denigrate the act of Robert and Signe McMichael, let alone denigrate them in the eyes of the public of the province.

Perhaps I need to refresh the memory of the assembly, collectively, about the circumstances in which the gift was made. The only way I thought I could appropriately do that was to read the very brief statement made by the then Prime Minister of the province, as he liked to be called at that time, John Robarts.

I want to quote, and I then will not have to recapitulate in my words, because it says in substance what it is all about. I would ask the members of the assembly who are here now to cast their minds back to try to envisage the

mood of Ontario at the time this gift was given to the province. These are the remarks by the Honourable John Robarts, Prime Minister of Ontario, at the official opening of the McMichael Conservation Collection of Art, Kleinburg, on July 8, 1966:

"Mr. Chairman, may I preface my remarks by saying that the privilege of participating in the official opening today of the McMichael Conservation Collection of Art is an honour to be cherished throughout the years. It is one of those rare occasions which truly transcends all partisan considerations and can, therefore, be enjoyed to the utmost by all of us. However, let me add immediately that we would not be assembled at Tapawingo for this happy event were it not for the selfless devotion and generosity of two remarkable Canadians, Signe and Bob McMichael.

"In preparing my remarks for today's official opening, I reviewed again the course of the negotiations which led to the gift of Tapawingo to the people of this province and nation. I went back particularly to an evening in the fall of 1964 when, at the invitation of the McMichaels, I came to Tapawingo for a quiet discussion of their proposal and, equally important, my first view of their magnificent collection of Canadian paintings. Any of you who have enjoyed the privilege of a visit to Tapawingo with the McMichaels can predict the result. Despite the fact that no precedent existed for the arrangement envisaged, the conclusion was inescapable—we must proceed at once.

4:50 p.m.

"Consequently, just one year later in November 1965, the land, premises and art collection were officially transferred by the McMichaels to the people of Canada.

"In my view, the major objectives of Mr. and Mrs. McMichael can be set out in three parts.

"The first is to collect and display in an appropriate setting the works of 10 eminent Canadian artists—Tom Thomson, Emily Carr, David Milne and the renowned Group of Seven, composed of J. E. H. MacDonald, Lawren Harris, A. Y. Jackson, Arthur Lismer, F. H. Varley, Franklin Carmichael and A. J. Casson. I might say that we are greatly pleased and honoured to have with us today three members of that famous group, A. Y. Jackson, A. J. Casson, and F. H. Varley.

"The second is to preserve forever for the people of this nation, this outstanding collection of Canadian art.

"The third is to encourage, by example and by

the provision of full assurance of permanent care and display, the enhancement of Tapawingo's galleries through the donation of additional art treasures by others whose love of their country, its history and its art is akin to that of the McMichaels. Furthermore, the establishment of the McMichael Conservation Collection of Art may very well inspire the creation of similar galleries and treasures of Canadiana elsewhere in this province and nation.

"Clearly, the first two of these objectives have already been achieved, the first by the dedicated efforts of Signe and Bob McMichael, and the second through the signing last November of the formal agreement with Ontario. Shorn of its legal phraseology, the agreement provides a lifetime interest in Tapawingo, its grounds and its galleries, for the McMichaels; an inviolable obligation on the part of the province to maintain the land, premises and art collection in perpetuity; assignment of responsibility for the operation of the program to the Metropolitan Toronto and Region Conservation Authority, and an assurance of public access to the collection on a planned and reasonable schedule.

"The third objective, a continuing one, is being realized in a most impressive fashion. Mr. R. A. Laidlaw, of Toronto, has augmented the collection in a very substantial way with the gift of a group of 26 paintings by Tom Thomson, J. E. H. MacDonald and Lawren Harris. Moreover, within the past few days, a most exciting and important addition to the McMichael Conservation Collection of Art has been provided by Mr. Percy Hilborn and his family in memory of the late Mrs. Hilborn. Their gift to the collection, A. Y. Jackson's *First Snow Algoma*, was painted in 1919 and is acknowledged to be this distinguished artist's most important work. So clearly does this gift exemplify the ideals and ultimate success of the McMichael Conservation Collection of Art that it was agreed, in consultation with Signe and Bob McMichael, to symbolize today's official opening by the unveiling of this magnificent painting.

"May I express again to Mr. and Mrs. Robert McMichael, and to all who have supported them in this most worthy and demanding endeavour, the gratitude of every citizen of this great country.

"I now take great pleasure, on behalf of the people and government of Ontario, in officially opening the McMichael Conservation Collection of Art by unveiling the Hilborn family's gift to the gallery, Mr. A. Y. Jackson's *First Snow Algoma*."

Mr. Speaker, I labour as always in this assembly under the misfortune of being a lawyer by profession, which means that whatever I say, either persons can say they do not understand it or the person to whom I am addressing my remark feels that somehow or other he can attack me as a lawyer, because he is not a lawyer and I am putting something over on him. I am going to try, therefore, to stay away, as far as I can, from speaking as a lawyer. I am speaking as a member of the assembly who was fortunate enough to be sitting as a member in this chamber at the time when those original remarks were made, and other remarks were made in this assembly.

I happen also to have been in the assembly in 1972 when the government, for reasons which I will never understand, chose for the first time not to admit its obligation. I say this because I want to revert to that obligation. By that time, the Honourable John Robarts was no longer the Premier of this province; the present Premier (Mr. Davis) was. That is not to say that he had anything to do with the admission in that statute that the province was not going to fulfil its obligation to the McMichaels.

I do not intend to review the remarks I made at that time other than to indicate that they can be found in the debates of the assembly on Thursday evening, November 23, 1972, I believe, in this chamber on second reading and in the clause-by-clause discussion of the bill, on pages 4773 through 4779. They are available for any member who may, at some point, care to refresh his mind about the point I want to make.

I do not intend to regale the assembly with any lengthy statement about the historical development of the matters before us. I adopt a great deal of what the Leader of the Opposition said in his remarks; I do not intend to advert to them in my remarks. Nor do I intend to advert to the long apologies presented to the assembly by the minister on November 26 and earlier on November 19, when he got himself so far out on a limb that he was unable to retreat, either with or without grace, to a reasonable position on this matter of such concern to us.

I do, however, want to indicate to the chamber that I believe the McMichael Canadian Collection issue, the issue we are debating now and the issue that will be before a committee of this assembly early in the new year, is an important one for the public confidence in the operation of our cultural agencies. I do not think it should be allowed to pass away without a careful investigation of the administration of

public cultural institutions in this province. The lack of public policy in cultural agencies is now being revealed. It is most unfortunate that the McMichaels, whose original generosity is most apparent, are in the centre of a storm that will only pass with great difficulty.

I may say that I do not intend either to go through a voluminous amount of information, which I have available since this issue came to the forefront, other than to comment that it is this agreement—a copy of which I happen to hold in my hand—that it is the intention of this minister and his government to cancel in the original draft of the bill, which was made available to those who were interested for their consideration—not the bill which is before us, because the public outcry forced the government to eliminate that portion of the proposed legislation which would have declared this agreement null and void as of April 1, 1973, I believe.

5 p.m.

What does this agreement say? This is where I am going to be a layman reading a legal document, because I believe that a layman can understand what this says, particularly with the introduction into the jargon of the assembly of the term “non obstante” through the discussions of the Canadian constitution. This particular clause starts out with that word:

“Notwithstanding any of the foregoing provisions of this agreement, in the event that the province of Ontario establishes a foundation for any of the general purposes of preserving, maintaining or developing lands, buildings and collections of art for the public benefit, the crown may assign the whole of the lands and premises in collection vested in or subsequently acquired by it pursuant to this agreement, including all its rights, powers and privileges and subject to all its obligations in connection therewith, to the said foundation, provided that the crown agrees not to make such an assignment until the said foundation covenants to be bound by the provisions of this agreement to the same extent as is the crown herein.”

It was that clause that spurred me into the debate in November 1972 to say that there is nothing in the act establishing the McMichael Canadian Collection. That is the name of the corporation—not the description of the art collection, remember; just the name of the corporation. They did not do the McMichaels the honour in the act of designating the collection with their name. They did them the sort of honour this government would understand by

simply saying, "The corporation without share capital will have your name, because that can be changed readily." They did not want to dignify the collection with the name McMichael.

In any event, the government would not require the McMichael Canadian Collection—that is the corporation the minister refers to—to accept the obligations of the crown as provided in this agreement.

Let me make another point. This agreement was signed under the seal of Ontario by one person, the Premier of the province.

Let me make a further point. The agreement is quite clear. I will read the whole agreement if anybody wants me to. I leave it to each member of the assembly to get a copy of the agreement and to decide whether or not I have adequately expressed what the agreement states. One of the paragraphs states: "And whereas the McMichaels desire that both Tapawingo and their collection be preserved, maintained and developed for the public benefit and for this purpose have entered into this agreement..." It was their desire, their purpose and their motive that both Tapawingo and their collection be preserved, maintained and developed for the public benefit.

My friend in the chair will know what this means, and I quote one paragraph, item three of the agreement: "Now, therefore, in consideration of the premises"—in consideration of the carrying out of that intent—"the crown agrees to preserve and maintain in perpetuity the lands and buildings of Tapawingo as a setting and gallery for the collection of art to be established by the crown as hereinafter provided."

Then we skip over a little way and we find in paragraph 13 of the agreement what the crown then established: "The crown shall, with the advice and assistance of Robert McMichael and Signe McMichael, establish, develop and maintain in perpetuity at Tapawingo a collection of art reflecting the cultural heritage of Canada." Then it goes on to state: "The said collection shall be known as the McMichael Conservation Collection of Art, and comprised of..." and I have given the names of the artists who were involved in it.

Let us remember that was the obligation of this government. No matter what device they use—whether they use a corporation, or the corporation in its place or the corporation as its agent—no matter how they compose the board of directors, no matter how they organize its affairs, the obligation of whoever is responsible for the discharge by the crown of its obligation

must discharge that obligation. And the obligation is that "the crown shall, with the advice and assistance of Robert McMichael and Signe McMichael, establish, develop and maintain in perpetuity at Tapawingo a collection of art reflecting the cultural heritage of Canada."

There are other provisions in the agreement. One which has not been mentioned but needs to be is that not only was there a gift at the time of what Robert and Signe McMichael gave to the collection, but they obligated themselves to agree to donate to the crown for inclusion in the collection "all works of art hereafter acquired by them and deemed by them to be suitable for permanent inclusion in the collection."

I am not going to refer to the other provisions about their desire to be buried on the property or their right to remain on the property. Nor do I think for one single moment the agreement was vitiated in any way by the decision of the Lieutenant Governor in Council to provide some remuneration for the indefatigable contribution made over the years by Mr. McMichael to the ongoing work of that collection.

Let me make another point to the minister. Does he think for one single moment that collection would have had the magnificent development it has had, and attracted the people it has attracted over the years, if it had not been for the original initial gift? That is where the whole dynamic of that collection began, and the minister must know that and try to understand it. However I do not believe he is at this time capable of understanding the havoc he may well be wreaking in the cultural institutions of the province, because of his absolute inability to have any conception of the dynamic that was established by the original contribution made by Robert and Signe McMichael.

In 1972 the government established this corporation, a bloodless creature without share capital, and called it the McMichael Canadian Collection. The collection was defined in the agreement but not mentioned as the McMichael Canadian Collection or the McMichael Conservation Collection of Art, as it was originally called. If one looks through the agreement, apart from the name of the corporation, there is no reference whatsoever in the agreement to that gift, nor is there any reference to Robert and Signe McMichael, except at the very end. There it makes certain provision with respect to the place of interment, the place of residence and their right to remain as trustees of the corporation or members of the board of direc-

tors during their lifetime, when Mr. McMichael during the pleasure of the Lieutenant Governor in Council could continue as director.

When those events were past, there would be nothing. It would be that kind of rewriting of history we are so familiar with, where what is past no longer exists and did not take place. It was therefore with that in mind that it seemed to me it was possible now, even at this late date, to so restructure the McMichael Canadian Collection Act by way of an amendment in accordance with the substance of what I was trying to say in the reasoned amendment I put before the assembly, so that in some way or other the original intent would be embodied in the statute.

That agreement of 1965 never came to the assembly. The assembly was not part of that agreement. The assembly was part of the original enactment in 1972, several years later, and the assembly is part of what is taking place now.

5:10 p.m.

I even heard a callous statement that lawyers in the ministry had advised the ministry: "Of course you can wipe out the agreement. The Legislative Assembly can do anything." Perhaps this assembly likes to undo what it has done. But it did not create the McMichael collection. It did not sign the agreement. It did not confirm the agreement, but it is this assembly that is being asked by this minister to disown that agreement and to perpetuate the nonrecognition by the government of Ontario of its sacred obligations. I use that term advisedly.

The minister has listed the names of the members of the board of trustees, or the members of the board of directors as it is more colloquially known, of the McMichael Canadian Collection—who they are and what their contribution has been. I have no quarrel with them. I do not know any of them. The statute we are discussing imposes on the board of directors the requirement: "The affairs of the corporation shall be under the management and control of the board, and the board has all the powers necessary or convenient to perform its duties or to achieve the objects of the corporation."

It goes on to make this provision: "The board shall, with the approval of the minister, appoint a director who may, but need not necessarily, be a trustee of the board, and may with the approval of the minister remove the director, and the director shall be responsible for the management and administration of the corporation subject to the supervision and direction of the board."

I am not one who needs to have the Who's Who of any director read to me to avoid having that raise a serious question. Is there a case to be made that the board of trustees, under the chairmanship of Mr. J. Allyn Taylor, holding this collection of art for the public of Ontario under the terms of that agreement entered into by the crown, may be in violation of its duties?

May they have not supervised adequately the affairs of that organization? May the problems which we are faced with today in that collection, according to the minister, have had their origin in the failure of the board of trustees to carry out its obligations? Those and a number of other questions will undoubtedly be the kinds of matters which may—I say "may" very carefully—be before the committee when the time comes. It raises a serious question in my mind.

I believe that is all I need to say at the present time about the actual agreement, my understanding of it, the default by this government and the request to this assembly to give our imprimatur of agreement to the disowning by it of its obligations and responsibilities. I do not believe I need to say anything further on that aspect of it.

But I do want to come back to the question I originally raised. Is it not really true this has raised for us in this assembly a serious question about public confidence in the operation of our cultural agencies? Is it not time for a careful investigation by this ministry of the administration of the museums and galleries and other community organizations of the province.

I say that, having read the Museum Notes for Community Museums in Ontario published earlier this year. I have read that in the light of the Community Museums Policy for Ontario published either last year or early this year by this minister. Those community policies and those museum notes do not speak to the fundamental public question which is going to have to be addressed.

It is strange that on occasion what happens in the United States happens here. I read with interest, and I recommend to the minister if he has not read it, an article by Lee Seldes in the Saturday Review of July 1981. In it he recounts the serious problems beginning in 1972 that came to the surface with respect to the management and conflict of interest problems and questions of acquisition and disposal and sale and reacquisition in the Metropolitan Museum of Art. He also dealt with similar problems in 1975 in the Museum of the American Indian in New York city and later at the Brooklyn

Museum, in the Art Institute of Chicago and finally in the museum of art in Greenville, South Carolina.

It is very strange that those charged with the discharge of the public obligation have used the same argument on occasion. The argument is the one we have heard in the case of Mr. McMichael—that is, that he has now become an overzealous benefactor who interfered in the affairs of the art gallery, wanted to have everything his own way and wanted to deal with it as if it were still his own. Those are the common forms of rhetoric we have heard about this matter.

I shall quote the last paragraph of that article. Maybe this has “opened up a Pandora’s box of questions about museums”—and galleries and this ministry of the government—“that hitherto have not been exposed for the record. . . In the Eighties the public will demand more scrutiny into the guardianship of the treasures of our nation’s artistic heritage. But, with the traditional secrecy inherent in art dealings and the lack of legal regulation or outside watchdogs, such inquiries will not be easy, especially in museums”—and galleries—“with private corporate boards. So when museum people start talking mysteriously and hinting at happenings that might damage ‘the museum’s’”—or gallery’s—“‘reputation,’ be sure to prick up your ears.”

That is exactly what the minister has done. The minister has on occasion indicated to us that if we only knew the whole story we would be anxious not to raise the matter publicly. He indicated the matter somehow is going to be on our head because this minister has introduced this inept legislation into the assembly. For whatever reason, be it stupidity or incomprehension, the minister has gone along with this bill, I want him to understand he has now opened that Pandora’s box.

I come as a newcomer to the field but one need only read, *Professional Practices in Art Museums*, published in 1971 by the Association of Art Museum Directors in the United States. One need only read *Museum Ethics*—in the United States art galleries are commonly known as museums as well as the kind of institutions for which we use that phrase—published by the American Association of Museums. These statements of museum ethics are intended to be guidelines against which current museum policy and practice can be tested for ethical content.

5:20 p.m.

I charge anyone to find in the policy of this ministry any such concern for the ethical content of the practices that are going on in the Art Gallery of Ontario, the Royal Ontario Museum or in museums elsewhere.

There is a significant lack of policy direction and policy statement by this government in fields dealing with management of these institutions, or the trustee responsibility, the prejudicial responsibility of those who accept appointments as members of boards of these organizations. There is a very significant lack of concern about the rules and guidelines to be provided to those who are employees or volunteers in the work of these institutions.

I understand there is a document about 100 pages long finally coming before the board of directors of the Royal Ontario Museum. It deals with this question of the ethical content of the policy with respect to the management, supervision and care of art treasures which are held for the public benefit and in the public preserve. It is directed to persons who act for us as trustees, even though they are appointed by government and accept the obligations in many instances without any remuneration.

We will all be aware of the same problem which has been raised in very similar context, but in a different way, with the Art Gallery of Ontario. I refer the minister to the publication of local 535 of the Ontario Public Service Employees Union, to serve or collect, funding and priorities at the Art Gallery of Ontario. I was reading through this brief by concerned employees at the Art Gallery, and one sees the same problem reflected again.

An immense secrecy surrounds those who make up the board of governors, the board of trustees, or the board of directors of institutions in which a large part of the funds have been contributed by the public. But we are not allowed to understand any of their policies. They do not have modern, up-to-date policy statements to guide them. The government has never provided any such overall supervision for them. Every now and then, when the question is raised, the minister indicates, “yes, let us have an independent public inquiry.”

He did the same with the Art Gallery of Ontario earlier this year. An editorial in the *Toronto Star* on June 28, which was headed “Gallery should agree to inquiry,” says: “Baetz’ offer of an independent inquiry into the gallery still stands and the AGO board of directors has not, so far, turned him down. In light of this week’s layoffs,” which were only the tip of the

iceberg of problems that were involved in that gallery, "they would be wise to accept the offer."

Needless to say, before they even got around to public pressure to accept the offer, the minister had withdrawn it. The matter is now returned to an internal ministry Art Gallery of Ontario private discussion about the public interest. The time has long since past when that question is interesting.

If the government persists in this bill it stands indicted for the failure of its policies, in cultural and ethical matters, with respect to many galleries and museums throughout Ontario. When the bill goes to the committee I trust the minister will see fit to deal with it on that broad public issue.

This sad affair we are debating today may have a beneficial outcome if, when resolved, it restores public confidence in the McMichael gallery and in the way the government is discharging its trust. This was imposed by way of a gift by the McMichaels on the government, and is now held by the board of trustees for the people of Ontario. The affair could also go a long way towards finding out whether in the 1980s the Pandora's box of hidden concerns can be brought out in the open, and the practices and policies of this government re-established on the level that will result in public confidence.

I say to the minister I do not for one moment believe that will occur under his leadership in that ministry. I do not look forward to the meeting of the committee because the minister will be engaged, as he has been engaged, in a process of innuendo and denigration of Mr. Robert McMichael for reasons and motivations I do not understand.

It is passing strange that a question was raised in this assembly in the closing hours of the estimates of the Ministry of Intergovernmental Affairs about the funds that were provided for certain public events, one of which was a dinner given earlier this year by the government of Ontario in honour of Robert and Signe McMichael.

How all that fits together must raise in the minds of all the members of the assembly, as it does in my mind and I hope and trust in the minds of the people of Ontario, serious concerns about what the government is about. What is it trying to do? Why can it not graciously do something very simply to re-establish public confidence in this institution and, through this institution, in other institutions?

I can assure the minister that if I were a

person looking around for an institution to make a donation to—I do not have anything of value to donate—I would look quite far afield before I decided to give it to this government, with the sad state of mismanagement of its cultural affairs as evidenced in this assembly earlier today in question period and in the whole course of this debate.

The government stands indicted on this bill. It will not win any votes. People will still flock to the McMichael Canadian Collection, public concern will disappear over time, but the fact is this government, this ministry has failed. The government has failed because it listened to, heard, and without changing its course, allowed this minister to proceed with this iniquitous bill.

He will have the consequences whether he likes them or not, and I hope the public of Ontario, out of this bitter issue, will be the beneficiary. But at this time it is impossible to say that will be so.

Mr. Edighoffer: Mr. Speaker—

Mr. Havrot: Hughie for leader.

Mr. Edighoffer: Thank you. I thought I was for a while. I was the only one here.

Mr. Speaker, I have been looking forward to participating in this debate. I have listened with interest to the comments made by my leader, who has certainly spelled out the events leading up to this legislation.

Mr. Nixon: Go over that one more time.

Mr. Edighoffer: Would he like to hear that again? I also want to say I appreciated listening to the comments of the member for Riverdale, who has been very active in the debates, particularly when the original legislation was passed in 1972, when he so clearly and firmly stated that he wanted the government at that time to have the original agreement annexed to the legislation.

A number of weeks ago after this issue seemed to flare up, the minister invited all members of the Legislature to visit the McMichael collection at Kleinburg. I understand two or three members turned up. I was advised by my caucus to write the minister stating we felt there was no point in visiting the bare building at that time but we would be glad to do so at some future date when more construction has taken place.

I was out at that location a week prior to his invitation and visited a number of people who reside in Kleinburg. At that time, I found it was not just a local Kleinburg issue; it is an issue that concerns Ontario and Canada. That is a big

statement, but when I talked to the people out there I found they felt it was an important issue, particularly at that time when we were talking constitution and the Gang of Eight was then fighting the present Premier of Ontario and the Premier of New Brunswick and the Prime Minister of Canada. We had the Gang of Eight against the other three.

The comment that seemed to be flowing around that area was that it was an important enough issue to make certain they had support from the Gang of Eight to do their best to fight and save the Group of Seven at Kleinburg. I thought it really was an issue that was considered not only in Kleinburg but in Ontario and right across Canada.

5:30 p.m.

I do not want to get into a lot of detail about the events that led up to this legislation and that led up to the resignation of Mr. McMichael, because I am sure we will have lots of time to discuss many of those items in the standing committee, probably in January or February some time. But I want to say I support wholeheartedly the reasoned amendment of the member for Riverdale because I think it sets out the direction the original director of the gallery had in mind.

Mainly, I think it sets out the obligation of this government to reflect the obligation it accepted in 1965. Of course, it defines the term "McMichael Canadian Collection" a little more clearly and it also includes the annexing of the agreement to the 1972 legislation. I certainly will support the reasoned amendment, along with my colleagues.

I looked back to a number of statements the minister had made, and I know reference has been made to the statement made by the then Minister of Colleges and Universities in 1965. I think it was clear enough when he said he was satisfied that the intent of the bill accomplished the intent of the 1965 agreement. That should certainly be, in effect, enough to make certain that the government really would not hesitate to annex the agreement to the present legislation. By annexing that agreement to the 1972 bill or including it in the amendment before the Legislature now, I feel the main benefit received would be that the content of section 13 of the original agreement would be intact.

I think the member for Riverdale did refer to this section previously, but I would like to read it again into the record: "The crown shall, with the advice and assistance of Robert McMichael and Signe McMichael, establish, develop and maintain in perpetuity at Tapawingo a collec-

tion of art reflecting the cultural heritage of Canada." Then it goes on to spell out the artists, and states further, "and other artists as designated by the advisory committee who have made contributions to the development of Canadian art."

As has been stated earlier this afternoon by both previous speakers, the intent is set out very clearly in the original agreement with the five-member board; but if one looks on a little further at section 19 of the original agreement, it states, "The crown agrees that upon the death of the survivor of Robert and Signe McMichael, additions to the collection shall be confined to works of art by the artists specifically named in section 13 above, or designated by the advisory committee pursuant to the said section 13." This shows that some changes should be made, particularly to the new section 7 in the legislation.

Many people in Ontario have been very concerned about this. I do not know if the minister is aware of this, but I have been informed the ministry did hire some sort of public relations firm to get people's feelings and to make sure all the information was brought back to the ministry. I do not know how much was spent on that. Perhaps the minister would give us that information.

I have been receiving a lot of letters from constituents who are very concerned. I would like to place on the record some of the comments made by my constituents. I will read part of a letter from Dr. Rowe of Stratford, that great cultural centre, who says:

"The McMichael gallery is not just another art gallery but is a unique experience which must not be destroyed. The original agreement between the McMichaels and the government must be honoured. This is the first time I have felt strongly enough about an issue to write to my MPP and I hope the greatest pressure will be brought on the government to retain our heritage as originally intended."

I received another letter from a lady in Stratford who says: "I am writing to you as my member of parliament with hopes that you will be able to deliver my displeasure with our government. In the past few days, the newspapers have reported the McMichael gallery nightmare. What the Conservative government attempts to do is break a solemn promise to the people of Canada and to the McMichael family by welshing on their part of the agreement.

"In 1965, the McMichaels generously donated their home, land, property and a collection of

art that has given many Canadians great pleasure. The McMichael gallery is a truly Canadian achievement, an achievement that can make our Canadian people proud.

"I ask you, does the government of Ontario have the right to welsh on such generosity? If so, then the Conservative government does not deserve my vote."

That is signed by Ms. Pat McKegg of Stratford.

Mr. T. P. Reid: One of the few Liberals in Hugh's riding.

Mr. Edighoffer: That's right. I just have one other letter. I will not read it all.

Mr. Lane: Oh, go ahead.

Mr. Edighoffer: Do you want it all?

Mr. Lane: Sure.

Mr. Edighoffer: It is quite lengthy.

Mr. Boudria: The night is young. Tell us about it.

Mr. Edighoffer: Okay. This is written very recently from another constituent in another town:

"Dear Mr. Edighoffer: This last week many of us who have been to the McMichael art collection in Kleinburg have been decidedly perturbed over what is being said and maybe planned about the face-changing of this famous institution. One hears much that is possibly rumour, but I hope you know what is really being done.

"I am writing as a lover of the Group of Seven particularly and as a strong advocate of keeping one's promise." I underline that, "of keeping one's promise." "If the government has signed an agreement with Mr. McMichael or whoever is in charge of that beautiful building and lot with its priceless collection, then the government must be made to keep its agreement."

She goes on for a number of pages, but I think the last part is very important. She refers to making certain that you change your mind, Mr. Minister, "or you may indeed lose my vote. I would not want that so I am sure you will change your mind."

More important, a letter came to many of us from the last surviving member of the Group of Seven. It is a lengthy letter and I am not going to read it all into the record, but I will read the first two and one of the last paragraphs because I think it is most important. This is dated December 7, 1981, addressed to the Premier of Ontario, the Honourable William G. Davis, Q.C.

5:40 p.m.

"Dear Mr. Premier: As the last surviving member of the Group of Seven, I am deeply interested in the future of the McMichael Canadian Collection. I have not taken sides in the current controversy. I have kept my lines of communication and friendship open with all parties in dispute, Bob and Signe McMichael, the chairman of the board of trustees and your colleagues in the government. I have not met Michael Bell, but my friends speak highly of him.

"Surely the time has come to forget the mistakes and misunderstandings of the past, put aside their animosity and work together towards a common goal. The goal should be to preserve the unique character of the McMichael building, to improve the collection and to strengthen and increase the invaluable services the gallery offers to the people of Canada." The letter went on to refer to comments made or letters written by the president of the Ontario Association of Art Galleries, and also referred to the letters in the *Globe and Mail* between Pierre Berton and the chairman, Mr. Taylor.

I just want to go on to one of the last paragraphs, which I think is most important: "When the Canadian group of painters succeeding the Group of Seven was disbanded in the 1960s, most of the living painters donated their work to the McMichael Collection. The gallery in which they were to be hung was not a large one. The paintings had to be small, and, because of this and the inevitable problems associated with donations, some of the artists are not represented by their best paintings. This gallery can be upgraded.

"It is valid for some to argue that Canada has produced better artists than those exhibited in the McMichael collection, but as the last survivor of the Group of Seven it is my hope, shared I know by my friends past and present whose work is shown there, and by the tens of thousands young and old who visit the gallery each year, that the government will do everything in its power not only to preserve the unique woodland charm of the gallery but also to improve the collection, keeping intact the list of artists who are represented there."

I read this because I wanted to underline that last sentence, "keeping intact the list of artists who are represented there." I hope some changes can be made during standing committee. Much has been said—

Mr. Stokes: Who signed it?

Mr. Edighoffer: I am sorry, I guess I forgot to name who wrote the letter. This was a letter written by Mr. A. J. Casson, the remaining member of the Group of Seven.

Mr. Stokes: Even the letter is a collector's item.

Mr. Edighoffer: Much has been said about the managerial ability of Mr. McMichael. Mr. Speaker, you know we are not all perfect, we all make mistakes at some time or other. Even in regard to this particular legislation, I have to say that probably the ministry has not been perfect in always living up to each section of the act. I know very recently they decided to make some changes at the gallery. However, they forgot to read section 8(c) of the act, which says that changes can be made with the approval of the Lieutenant Governor, that is, to erect buildings and structures on the land. This had already taken place before the ministry even realized it had to get an order in council to approve the changes.

Because this will be going to committee, that is probably all I will say at the moment on the legislation. I have to reiterate that we in this party feel very strongly we have to support the reasoned amendment and, in turn, oppose the second reading of the bill, because we feel we want to eliminate any chance of future benefactors being affected by the province of Ontario and not wanting to believe in the province or leave any items to the province in the future.

Hon. Mr. Baetz: Mr. Speaker, it is obvious, as both parties opposite have noted several times, that they are determined to have this debate and this bill go to standing committee. As I have indicated to both parties, I think that is regrettable in some respects because it continues to drag on a public debate that I do not think is particularly necessary.

I find it incredible that the Leader of the Opposition (Mr. Smith) stands up and tells all of us how much he regrets that this legislation has to go to standing committee; he is afraid of what will happen there. At the same time he says there is nothing in this piece of legislation, there is nothing in it, but he has to oppose it. He says it is degutted. That is the word he used: it is degutted, it is eviscerated. If that is the case then why does he take the enormous risk of this thing going to standing committee? Why does he take this enormous chance if he is so opposed to it? I find that incredible.

Perhaps it should go to standing committee, because we hope that there, at least, the

discussion can be carried on in a more reasoned, more rational and more detailed way, and that we will not be subjected to the kind of rhetoric that poured across the floor this afternoon, this political grandstanding—and it really was that.

On the one hand we hear the member for Riverdale (Mr. Renwick) going on at great length and with great generalizations about the precarious state of our great cultural institutions and about how they should be helped. Yet here is one opportunity for him to support a bill that, as we have indicated, is not an enormously contentious bill. I would like to repeat just what it is supposed to do.

It really has two or three points that it wants to make. One is to express in a better and more refined way than ever, the continuation and perpetuity of a unique Canadian collection; surely that should not be too contentious an issue. It sets aside or establishes a position for Mr. McMichael; and that, surely, should not be a very contentious issue. It also addresses itself to the issue that, we have heard, concerns the members across the House: the possibility that art would be sold without the consent of the donor and so on.

These are surely things we can agree on. Yet the members opposite want to block it and drag it on to the standing committee on social development. There is something very mysterious and curious about the stance that comes from across the House.

As I say, the members over there are determined this will go to standing committee. I could say many things here. I could rebut or retort in a thousand different ways right now some of the things the members said across the House. But they are determined. They have made up their minds it is going to standing committee, so there is no point in my going on here and trying once again to present the government's position.

We hear so much from the members, that they are the people who understand Mr. and Mrs. McMichael. I can tell them that we share those feelings. We have shared them for many years, but there is no point in continuing the debate here. So with great reluctance we are in those members' hands and if they so wish, it will have to go to standing committee.

5:50 p.m.

Mr. Speaker: Mr. Baetz has moved second reading of Bill 175. Mr. Renwick has moved a reasoned amendment. Is it the wish of the House that I read that?

Mr. Renwick: I would appreciate it if you would, Mr. Speaker.

Interjections.

Mr. Renwick: The minister has time to change his mind.

Mr. Speaker: Order. Mr. Renwick's reasoned amendment is that Bill 175, An Act to amend the McMichael Canadian Collection Act, be not now read a second time but be referred back to the minister with instruction to return the bill with provisions which will ensure compliance by Her Majesty the Queen in right of the province of Ontario, hereinafter called the crown, with the letter and spirit of the agreement between the crown, Robert McMichael and Signe McMichael, and the Metropolitan Toronto and Region Conservation Authority, dated November 18, 1965, namely:

(1) by reflecting the obligation of the crown, with the advice and assistance of Robert and Signe McMichael, to develop and maintain in perpetuity at Tapawingo the collection of art reflecting the cultural heritage of Canada known as the McMichael Canadian Collection originally established by gift to the crown from Robert and Signe McMichael pursuant to the agreement;

(2) by defining the term "McMichael Canadian Collection of Art" in a manner consistent with the intention of the agreement;

(3) by requiring the corporation known as the McMichael Canadian Collection to covenant expressly to be bound by the provisions of the agreement as required by the agreement;

(4) by reducing the number of the members of the board of trustees of the corporation to five and making provision for the composition of the board and the appointment of the chairman to be consistent with and comply with the provisions of the agreement respecting the advisory committee as originally established;

(5) by annexing the agreement to the McMichael Canadian Collection Act as a schedule so that the agreement will form a permanent part of that act.

Pursuant to standing order 54(a), the first question to be decided is, "Shall the bill be now read a second time?"

6:15 p.m.

The House divided on the question, "Shall the bill be now read a second time," which was agreed to on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Bernier, Birch, Cousens, Cureatz, Davis, Dean, Eaton,

Elgie, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Harris, Havrot, Hennessy, Hodgson, Johnson, J. M., Jones, Kells, Kerr, Kolin, Lane, MacQuarrie, McCaffrey, McLean, Miller, F. S., Mitchell, Norton;

Piché, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Snow, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, G. W., Taylor, J. A., Treleaven, Villeneuve, Walker, Watson, Wells, Williams, Wiseman.

Nays

Boudria, Bryden, Charlton, Conway, Cooke, Copps, Cunningham, Eakins, Edighoffer, Elston, Laughren, Lupusella, Mackenzie, Mancini, Martel, McGuigan, McKessock, Miller, G. I., Newman, Nixon, O'Neil, Philip, Reid, T. P., Renwick, Ruston, Samis, Sargent, Smith, Spensieri, Stokes, Swart, Wildman, Wrye.

Ayes 55; nays 33.

Ordered for standing committee on social development.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, with the consent of the House I will make a statement on House business today to cover events until the adjournment on Friday. Perhaps at that time I could announce the events for next week rather than in the usual manner tomorrow afternoon.

The House meets tomorrow morning at 10 a.m. We will begin with third readings on the Order Paper, followed by second and third readings of private bills on the Order Paper, followed by second reading and committee of the whole House on Bill 183 and then second reading and committee of the whole on Bill 178. That will be followed by second readings of Bills 184 and 185, committee of the whole on Bill 147, and second reading and committee of the whole on Bill 170.

In the afternoon, we will be considering the no-confidence motion standing on the Order Paper in the name of the member for Ottawa Centre (Mr. Cassidy), with a vote to be held at 5:45 p.m.

In the evening at eight o'clock, the first order of business will be voting on the first report from the select committee on pensions, which was debated and considered in the House last Thursday evening. After that order of business, we will continue any unfinished business, any unfinished legislation left over from the morning. We will then continue on to committee of the whole on Bills 2, 53, 93 and 160. If time

permits, we will consider the supplementary estimates of the Office of the Assembly and the Ombudsman.

On Friday morning, the House will consider the estimates of the Lieutenant Governor, the Premier and the Cabinet Office.

WINTARIO GRANTS

Hon. Mr. Baetz: Mr. Speaker, I stand on a

point of privilege. I believe Hansard will indicate that this afternoon I used the words "inveigled" and "duped" in reference to the actions of the member for Quinte (Mr. O'Neil). If that is the case I would like to withdraw those remarks.

The House adjourned at 6:24 p.m.

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No. 124

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Thursday, December 10, 1981

Morning Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, December 10, 1981

The House met at 10 a.m.

Prayers.

WINTARIO GRANTS

Mr. Speaker: Just before entering into the business for the day, I would like to take this opportunity to address all honourable members on the matter raised yesterday with respect to the release of information on Wintario grants.

Members were rising on what they considered to be matters of privilege, and I must say I found some difficulty in recognizing what privileges of the members had indeed been abused. At best there may be some disagreement with the method of the minister and his staff in distributing the information on these grants.

I was asked to refer the matter to the procedural affairs committee. At the time I had some reservations as to my authority to do so. However, after reviewing the terms of reference of that committee I find that I do indeed have that authority. I must inform the members, however, that I do not consider this to be a proper matter to be referred to the committee.

As I stated earlier, there seems to be disagreement with the way the minister and his staff have handled the distribution of the information on Wintario grants. I believe this matter should properly be brought before the committee considering the minister's estimates. Since they have been completed, I would suggest to the members that the concurrence debate on the minister's estimates is still on the Order Paper.

However, I think the minister is certainly now well aware of the dissatisfaction of the House towards this matter.

Thank you very much.

ORDERS OF THE DAY

THIRD READINGS

The following bills were given third reading on motion:

Bill 104, An Act to amend the Highway Traffic Act;

Bill 107, An Act to amend the Police Act;

Bill 136, An Act to amend the Milk Act;

Bill 162, An Act to amend the Ministry of Consumer and Commercial Relations Act;

Bill 163, An Act to amend the Personal Property Security Act;

Bill 166, An Act to revise the Motor Vehicle Fuel Tax Act;

Bill 171, An Act respecting certain International Bridges;

Bill 176, An Act to amend the Co-operative Corporations Act.

GREATER NIAGARA GENERAL HOSPITAL ACT

Mr. Nixon, on behalf of Mr. Kerrio, moved second reading of Bill Pr24, An Act respecting the Greater Niagara General Hospital.

Motion agreed to.

Third reading also agreed to on motion.

WALTHAM CREATIVE PRINTING LIMITED ACT

Mr. McLean, on behalf of Mr. Mitchell, moved second reading of Bill Pr26, An Act to revive Waltham Creative Printing Limited.

Motion agreed to.

Third reading also agreed to on motion.

10:10 a.m.

EMMANUEL BIBLE COLLEGE ACT

Mr. Nixon, on behalf of Mr. Sweeney, moved second reading of Bill Pr38, An Act to incorporate Emmanuel Bible College.

Motion agreed to.

Third reading also agreed to on motion.

ATLAS HOTEL COMPANY LIMITED ACT

Mr. McLean, on behalf of Mr. Rotenberg, moved second reading of Bill Pr41, An Act to revive the Atlas Hotel Company Limited.

Third reading also agreed to on motion.

GEORGE R. GARDINER MUSEUM OF CERAMIC ART ACT

Hon. Mr. Baetz moved second reading of Bill 183, An Act to incorporate the George R. Gardiner Museum of Ceramic Art.

Hon. Mr. Baetz: Mr. Speaker, I have a very brief statement.

It is with a great deal of pleasure that I present

to this Legislature for second reading, Bill 183, An Act to incorporate the George R. Gardiner Museum of Ceramic Art.

As I indicated in my statement introducing this bill for first reading, it will facilitate making available to the public one of the world's most important private collections of ceramic art. This gift is all the more significant, however, given that Mr. Gardiner will be undertaking not only to donate the collection but also to build a museum in which to house it and then to provide for an endowment fund ensuring the maintenance and operation of the museum in future years.

The amount of government support available to create major new projects such as the proposed George R. Gardiner Museum, following the cultural explosion of the last two decades and given the necessity today of financial restraint in all sectors, is of course limited. It is therefore doubly significant that Mr. Gardiner has responded positively to the challenges and the benefits of contributing to the cultural life of this province. As I have often stated, the cultural life of the province is a shared responsibility, with the government in partnership with individuals and corporations throughout the province.

I want to emphasize that the museum will be an independent—and I stress independent—nonprofit corporation consisting of a 15-member board of trustees. Of the 15 members, the bill provides for five persons appointed by the board of regents of Victoria University and one person appointed by Toronto city council. These six persons shall hold office for two years. As well, nine persons will be appointed initially by the Lieutenant Governor in Council, and thereafter they will elect their further replacements to the board.

Moreover, the bill prohibits the director of the museum from being a trustee of the museum. In other words, the situation in which the founder-director of a museum is in conflict with a small board appointed by the crown and responsible to the Legislature through the minister is totally absent from the bill. The board is independent and its finances are derived from an independent endowment fund, in exchange for which the government will facilitate the usual tax relief available to Mr. Gardiner.

What do the people of the province receive? The core of the gift is, of course, a ceramics collection that has been described as world class. This evaluation is impressive in itself,

coming from internationally recognized experts in the field. This collection is conservatively valued at \$10 million, with Mr. Gardiner committed to expanding the collection through new purchases as they become available. Second, the museum is to be constructed at an estimated cost to Mr. Gardiner of between \$2.5 million and \$3 million.

The property will be leased from Victoria University and the University of Toronto. In association with Victoria University, the museum will have an educational program concerning the design, history, technology and related aspects of the decorative arts and their relationship to the civilization of their day. In other words, arts and education will be very much linked in the program of the museum.

Finally, Mr. Gardiner is committed to establishing an endowment fund which will total approximately \$4 million to \$5 million over a number of years to operate the museum. In other words, the donation puts a unique cultural resource into the public domain with no ongoing financial burden for the province.

To summarize, as I indicated at first reading, this legislation has been introduced because the government believes there is a major public benefit to be gained from having this collection in a public place. This legislation is to facilitate this very worthwhile objective.

Mr. Edighoffer: Mr. Speaker, I have very few comments to make on Bill 183. First, I want to thank the Minister of Culture and Recreation (Mr. Baetz) for sending the compendium at the introduction of the bill, which I have found very informative. It set out very clearly the proposed method of payment for the museum and the setting up of the endowment fund, which he referred to briefly just a moment ago. There will be enough funds there to sufficiently meet the obligation of the museum for quite a number of years.

It is interesting to note that the museum will be very beneficial to Ontario, and to visitors to Toronto in particular, because it will include a world-class collection of items from many parts of the world.

In looking over the legislation, and possibly to keep it out of committee, I would like to ask a question or two in my opening remarks. I was most interested in the section setting out the number of trustees. Certainly the figure of five appointed every two years by the board of regents of Victoria University is reasonable because the museum is situated on their land. One is to be appointed by the council of the corporation of the city of Toronto.

The nine persons appointed by the Lieutenant Governor in Council—I hope I understand it correctly—will be self-elected in years to come. One thing I hope has been done is that when the nine are initially appointed by the Lieutenant Governor in Council, there will have been consultation with Mr. Gardiner.

Looking through the bill further, section 15 states there is a possibility, and gives the minister authority, to supply moneys to this museum in the future. The only question I have there is, what does the minister anticipate will be the province's responsibility in the future and how soon may that responsibility be expected?

In section 17, in case of dissolution of the museum, the question I have there is, why is the authority given to the Lieutenant Governor in Council to disband or give any remaining property to a museum, art gallery or educational institution at the request of the minister or Lieutenant Governor in Council, rather than have the board accept that responsibility?

I feel this legislation will provide a museum that will be beneficial to the province, as I said, and to the people of Ontario. I certainly want to support the legislation for a museum supported financially by Mr. Gardiner and, I hope, by a great number of so-called friends of the museum through their annual membership fee. This party will support the legislation, but I want to make certain the minister can assure me and the House that there is no other agreement signed between Mr. Gardiner and the government that was not included in the compendium.

10:20 a.m.

Mr. Renwick: Mr. Speaker, I want to make a few remarks on this bill. I may say at the outset we will support the bill on second reading. I do not think there is any need to send, or any point in sending, the bill to committee.

I have some reservations as usual about the ancient and outmoded form of directors' indemnity provision included in this bill. The rationale is always given that, since the members of the board are volunteers, we do not need to have the strict form of protection for the public in the qualifications on indemnifications for directors that we do in private corporations. I do not accept that rationale, but we had a discussion earlier this session on this, and I leave that as a matter that is only one aspect of the remarks I want to make.

I may say that George Gardiner called me, because I have known him for about half a century, and talked with me about the background of the collection, his interest in the

particular field of art, how it developed and the considerations he had given to the methods by which he could carry out his particular intention, which is based on a number of considerations.

I think it is appropriate to say that my remarks this morning do not fall into the category of looking a gift horse in the mouth. However, I want to indicate clearly what I said yesterday when by happenstance we had the bitterness of the issue of the McMichael Canadian Collection before us. Here today we have a new museum being incorporated. I made the point in the debate yesterday that the cultural policies of the government, as mirrored in this ministry and for which this minister is responsible, are now shown very clearly to be inadequate.

I was interested in the minister's statement in introducing the bill. The compendium of information was made available to our caucus. I had the opportunity, as I said, of talking for a few minutes with George Gardiner about this matter. It is quite clear, however, that there is no policy of the government to determine the considerations to be taken into account and the process by which the donee of the gift makes the decision to accept the gift.

In my judgement, for all institutions of a cultural nature there must be a policy for each particular institution so that, when a gift is offered, the process by which the gift is accepted is not left on an ad hoc basis. That is what has happened with this government, because it is devoid of policies with respect to the decision made about receiving the gift.

This museum is a charitable trust, and I want to make a couple of points about that. The first point is that the only members of this museum, in accordance with the terms of the bill, are the board of directors. My understanding is that the act simply states, "The museum shall consist of the members of the board." As my colleague who spoke for the Liberal Party has indicated, the Lieutenant Governor in Council appoints nine members of the board, two of whom shall be George Gardiner and Helen Gardiner; the council of the city of Toronto appoints one, and the board of regents of Victoria University appoints five.

There is no one to supervise the administration of this charitable trust except the board of directors. I want to make it very clear that this government has the responsibility, not only to this museum but to all other museums and galleries in this province, of holding those trustees accountable for the proper discharge of

their business. I am not casting aspersions on any individual, but I think it is absolutely essential that people who accept positions on these boards understand that they are trustees.

I have said that a museum is a charitable trust. A trust is simply defined as a duty "the performance of which will accomplish a substantial amount of social benefit to the public or some reasonably large class thereof." We must add to that concept that all museums enjoy their charitable tax-exempt status by virtue of federal or provincial tax laws. Most museums, if not all, although privately endowed in the first instance, derive their continuing support from direct government subsidies—my colleague has referred to the provision in the bill by which the government of Ontario may make funds available to the institution—and also from indirect government subsidies such as tax deductibility for gifts, bequests and otherwise.

So with this kind of framework, the accountability of the board of directors to someone—in this case it must be the Minister of Culture and Recreation—is essential, because each of them has a fiduciary duty. In my view, that fiduciary duty must meet a much higher standard than that required of directors of private corporations. They must discharge that duty in strict compliance with trust principles.

It must be noted that, while directors of charitable corporations are exempt from personal liability for the debts, liabilities or obligations of the corporation, they are not immune from personal liability for their own fraud, bad faith, negligent acts or other breaches of fiduciary duty. Of course, that speaks directly to the inadequacy of the provision in the bill relating to the indemnification of the directors or the trustees of this particular charitable foundation.

These standards of accountability—that is, the duty of loyalty; the avoidance of self-dealing and conflict of interest; the duty of care, which means managing the affairs in a prudent manner; the duty to preserve the trust property, and the duty to avoid tainted transactions—can only be met if each of the directors and the minister recognize the ethical content of the trust concept in relation to these public trusts.

To say that a man is a fiduciary only begins the analysis; it gives direction for further inquiry. To whom is he a fiduciary? What obligations does he owe as a fiduciary? In what respect has he failed to discharge these obligations? Until this government establishes an overall policy with respect to cultural agencies in this province—whether they are on a com-

munity basis, whether they are government supported or whether they are privately endowed as charitable institutions—we have a long way to go in the evolution of the policies which are required for that purpose.

10:30 a.m.

The matter is one of immense concern to me in the light of the events surrounding the McMichael collection, and in the light of the information I am gradually gathering with respect to the position at the Royal Ontario Museum and at the Ontario College of Art with respect to the inadequacies of the two documents issued by the ministry, that is, Community Museums Policy for Ontario and Museum Notes for Community Museums in Ontario, to which I alluded yesterday.

We have to understand that there is, first of all, a very substantial tax benefit to the donor of this collection. Second, there is the incorporation we are asked to approve today of a trust for Ontario, for the people of the province. Third, we are allowing the control of that organization to be in the hands of a trustee group, which is not accountable to any outside body, other than through an annual report to be given to the minister and to be laid before this assembly.

I want to emphasize that we are obviously moving into a time in the 1980s when the public is going to have to look with care at benefactions that carry with them such a large tax benefit, because in a sense that is an immediate involvement of the government financially, by reason of that indirect benefit or contribution in the organization. This organization is not just a public form of private operation.

The same questions arise with the Art Gallery of Ontario. There is a tendency to think of these public galleries and public museums in the province as though they are the personal preserve of the particular board of directors. There is little, if any, public input; there is little, if any, public accountability with respect to them.

There will be other occasions to deal with this, but it seemed appropriate this morning, in the aftermath of the bitterness of yesterday, to indicate that this is a matter for the 1980s that has to be solved. The status of the boards of these organizations has to be understood to be one of immense responsibility, with respect to their own activities; with respect to all persons, employees or officers of these organizations, and with respect to all persons who volunteer their services in the operation of them. It is no excuse to say one is a volunteer when one is dealing with a public trust.

The public trust has to be protected and the only ultimate place where it can be protected is through the government and through this assembly. This assembly must demand of the government full, complete and adequate policies, guidelines and standards, evolved by the government about the operation of all these institutions.

I welcome this particular institution, simply on the basis of a long personal friendship with George Gardiner. I do not pretend to know all the questions as to its value, nor does this assembly have before it any evidence on which it can come to a conclusion as to its value.

I happen to know, in this case, that in all likelihood the figure the minister mentioned of about \$10 million would be shown on examination to be the acquisition cost of the collection. That is as good a standard as any. I also happen to know the government has given a substantial tax benefit to the donor and as a result of this gift is already financially involved in a significant amount in the work of the museum.

I do hope the directors and George and Helen Gardiner and the other members of the board of directors will read these few brief remarks. And we hope this museum, starting as it is from scratch, will develop the most up-to-date standards of ethics with respect to the operation, its accountability for the public trust and its access to the information for members of this assembly and of the government. This will make certain in the public's mind that the whole question of management, operation, and conflict of interest will not come to haunt this museum as it has come to haunt us about the McMichael collection.

I assume they will, but we must not stumble into the situation where a number of amateurs are sitting on a board without any real sense of the immensely high standard, the highest standard known in the land, of the obligations of trustees with respect to charitable trust.

Mr. Speaker, I support this bill on behalf of our caucus. I welcome the contribution it is going to make to the province. I am delighted it has a close relationship both with the situation of the intended museum and with respect to the participation of one of the universities of the province, Victoria University, on the campus of the University of Toronto.

Hon. Mr. Baetz: Mr. Speaker, I want first of all to express my appreciation and thanks to the members opposite for their support of this legislation. I am sure that Mr. and Mrs. Gardiner will share that feeling as well.

I have certainly noted the comments that have been made. We will observe them as we go along with this. I have especially noted the observations made by both members about the tax benefits which in a sense is an indirect public financial involvement in the establishment of this museum. It is something we sometimes tend to forget. We assume that as long as there are no direct public grants flowing to a foundation such as this there is actually no public financial involvement, which of course is not the case at all.

I think it is because of this recognition of indirect public support—I stress indirect public support because certainly there are no direct grants envisaged—we have taken the step to participate in the appointment of the initial board. I would certainly assume in making those appointments through the orders in council that we will be appointing people, in consultation and collaboration with Mr. and Mrs. Gardiner, who are cognizant of their responsibilities and their roles to direct the affairs of a museum like this. They will be setting the tone and setting the precedents for the corporation. They will be writing the bylaws, which describe the conditions under which the successors to the original Lieutenant Governor in Council appointments are chosen.

Given this fact, and the fact that the other six trustees all represent publicly accountable institutions, I feel it is clear the public interest will be properly served. I should also remind members opposite the corporation will have to make its annual report to government and will be publicly accountable in that way.

I think it was the member for Perth (Mr. Edighoffer) who raised the question about grants of money as is noted in the bill. There is provision made for grants to the foundation but that is not with the idea in mind that we would be making direct cash gifts. That provision is in there simply to enable us to flow money to the museum, but it will simply be money that will offset the donation made to government. It is not a further grant.

10:40 a.m.

I think the letter in the compendium, dated December 1, 1981, from Mr. Gardiner to my deputy minister, Mr. Ward Cornell, very clearly spells it out that no direct government grants are expected other than those offsetting the donations. It is really quite clear on that.

In answer to the other question raised by the member for Perth about any other agreements in existence between Mr. Gardiner and the

government, I can assure him there is no other agreement between the two. The information in the compendium is what exists.

The section on the dissolution of the museum, should that occur, I think is a normal provision in setting up a foundation such as this.

I think that pretty well covers the questions raised by the members opposite. As I said before, we very much appreciate the support they are giving to this measure. That is about all we have to say at this time.

Motion agreed to.

Ordered for third reading.

HIGHWAY TRAFFIC AMENDMENT ACT

Mr. MacQuarrie, on behalf of Hon. Mr. McMurtry, moved second reading of Bill 178, An Act to amend the Highway Traffic Act.

Mr. MacQuarrie: Mr. Speaker, these amendments to the Highway Traffic Act in effect validate the RIDE program, the reduce impaired driving everywhere program, which has achieved some measure of success in the past. It also provides penalties for people or drivers who leave the scene or fail to stop at the request of police officers. I think the amendments proposed are eminently reasonable and will contribute greatly to the safety of our highways and the users of our highways. I would hope the bill will receive general support.

Mr. Elston: Mr. Speaker, thank you for allowing me to speak on this bill, because I think it has many more ramifications than the honourable member has pointed out to us. I do not think it is something that can be glossed over so quickly without dealing with several of the principles which this bill affects. In fact, it changes the very principles upon which some of our legislation and our laws are based.

I just want to make a general comment on the bill to begin with. I have seen this before, the type of approach that has been used by the government to implement pieces of legislation that deal with matters that have received a great deal of airing and have gained a great deal of public sympathy for dealing with problems.

As an example I point to the Toronto East General Hospital situation, which ended up with an amendment to the Public Hospitals Act that gives the Ontario government an opportunity at any time they choose, really, to go into any hospital where they see problems developing. The government can go in where there may be a difficulty with what is being done by the local board vis-à-vis the policy decisions of the Health ministry.

This is another bill of the type that deals with very important principles regarding the personal freedoms of the people of Ontario but on the face of it appears to be of very little significance to those important rights.

I want to set out exactly what this bill is and why I oppose giving it approval in principle on second reading. It is actually an omnibus bill; it combines a good number of things in one package designed to meet some of the issues of the day that have been heavily reported in newspapers throughout the province.

First, it deals with the issue of controlling the drinking driver. We know for sure that none of us in the Legislature can tolerate the high toll of death and injury and the financial cost the people of Ontario must bear because of the very serious problem we face on our highways, particularly at this time of year.

Second, it deals with the problem of police chases. That also has been a situation the Liberal Party has dealt with on an ongoing basis for many years. It is a very serious matter. We have urged the Solicitor General (Mr. McMurtry) to take steps to deal with that very serious problem, and we admit that in one way this bill does deal with it, as the Solicitor General suggests. However we are very greatly concerned that perhaps the Solicitor General's attempts at dealing with this problem are misplaced and should not in principle pass second reading without having very serious deliberations on the matters he is proposing to put into law.

The third part of the bill is the reaction of the government and the Solicitor General to a recent court case, which, as explanatory notes say, was Regina versus Dedman. This one very small section in the bill, which I think is section 2 and is entitled section 189(a) as it will be referred to in the amended version of the Highway Traffic Act, broadens the powers of police officers very considerably. I do not think we in this province can gloss over the expansion of those powers when we feel there are a goodly number of powers available to the police in this province to deal with very many areas.

The fourth part of the bill is a section that almost creates another offence. That is the offence of almost being drunk. A police officer may—and I stress the word “may”—in certain situations decide to suspend the licence of a driver on the roads in Ontario. That gives this police officer wide discretion. He is the enforcer and he is also the person who administers the test: he makes the decision. Once there is a

clause in the bill that says "may," discretion is built in to it as to whether the officer will follow the provisions of this piece of legislation.

10:50 a.m.

Those are the four segments of the bill, and I just want to go through those steps one by one to indicate why we feel we should have a great deal of study on this bill and why we think it ought not be glossed over and quickly dealt with. In so far as this bill has such wide ramifications, the Solicitor General himself ought really to be here because it is a very serious thing we are getting into.

First of all I would like to refer to the matter of the drinking driver. We on this side of the House are very concerned, as everyone is, with the great loss of life and damage to personal property and the dislocations that are created by this. However, we think the manner in which it is being dealt with, imposing a near offence, that of having 50 milligrams of alcohol in 100 millilitres of blood, should be done by effecting a change to the criminal law.

We admit the Solicitor General himself cannot do that. He would have to do it under the auspices of the Criminal Code of this great nation of ours. We really think if there is material available that would suggest there is an impairment in the person at this level, it ought really to be dealt with under the Criminal Code. Despite the suggestions placed before the House by the Solicitor General, there are possibly more serious punishments being meted out by police officers on the side of the street—any street in Metro Toronto or any place where the RIDE program is put into effect—than what may be meted out to a person who is ultimately charged with a 0.08 offence under the Criminal Code.

There is no opportunity for a driver in this province, when he once registers on that machine, to make any representations to anybody except the police officer involved. The police officer sees the reading, makes his decision and then suspends the licence for 12 hours and that may mean two or three things. First of all, the person who is going home may be forced to incur increased costs to get there. If he is a person from a long distance he may be unable to attend his place of work. He then also has to pay whatever costs there are for transporting his vehicle from whatever site to an impounding yard.

Those sorts of punishment are there for a situation that has not been recognized as an offence under the Criminal Code of Canada.

And I think that is one reason we must be very careful about going any further ahead and implementing these quasi-criminal situations in any piece of legislation, especially when this bill is introduced offhandedly and in the absence of the very person who should be here to take responsibility and to address the very serious concerns of the people of this province.

I think that is what makes this a piece of legislation we cannot support at this point, even though we do support efforts to deal with the drunken driver, that goes without saying. I have had the opportunity to test out the new ALERT devices, alcohol level evaluation roadside testers, that will be used by the police in their roadside checks and I am sure of their accuracy. The demonstration given here by one of the Solicitor General's people yesterday was a worthwhile exercise in determining how the whole thing is going to be presented.

Mr. Nixon: Did they test Santa Claus last night?

Mr. Elston: I believe Santa Claus was tested yesterday afternoon.

Mr. Nixon: And found wanting.

Mr. T. P. Reid: He ruined the machine.

Mr. Elston: Anyway, it is because of these types of things, Mr. Speaker, everything else aside, that we must be much more careful in dealing with this piece of legislation.

I want to deal now with the police chase. I again suggest to the members that this is an extremely serious matter that we cannot afford to deal with lightly. We cannot offhandedly go into this type of legislation, merely saying it will deal with several problems. The situation of the police chase is one we have been concerned about for many years. In fact, it predates my existence here. There are several areas we have urged the Solicitor General to deal with.

We have noted with a great deal of enthusiasm the support for some of our suggestions that has come from various members of the police enforcement group, particularly for setting up rigorous guidelines for chases and for having police officers go through a course of training if they are going to be participating in chases. Other jurisdictions have dealt in other ways with the police chase issue, if I may use that term, to the benefit of society.

It seems to me we have here the implementation of a three-year suspension of a licence for the person who gets caught. He is the person who will be pursued and he will lose his licence for three years. If a person is caught as a result of

a police chase at this time there are several things which may be done to him. He may be charged with speeding, careless driving or dangerous driving, all of which can add up to suspensions. Dangerous driving is a situation where a punishment much more severe than just a suspension can be brought.

What I am basically saying is this three-year suspension under the Highway Traffic Act is really something in addition to what we already have in hand. It approaches the problem of police chases from one side of the spectrum. I think the Solicitor General ought not to feel, because he is approaching the problem from this perspective, that he has solved the problem of police chases. In one way or another, what we are doing is adding to the ante for the person who chooses to run from police. I do not think there is any question about that.

I support every effort being made to try to control the police chase problem so that we can eliminate the needless death and injury that has occurred and that has plagued us so often in the past few months. The grief and the dislocation of families caused by the problems that result from high-speed chases are tearing communities apart. I do not think we can offhandedly deal with this legislation without looking at it in serious detail.

Passing on to the third point which I mentioned earlier, the question of increasing the powers of the police: there are people in this province who understand that holding a driver's licence is a privilege for people and I support that concept. When a person holding a licence is driving along without having done anything wrong at all, without having breached any sort of statute, under this legislation he can all of a sudden be called over and stopped by a police officer.

There are those who would say that is okay, that if one has a privilege, one ought to avail oneself of being checked at any time and for whatever reason. But I think it is serious in nature when one considers this is akin to coming up to any individual on the street, stopping him and conducting an investigation without reasonable cause.

We have material in our jurisprudence and throughout our legal system which developed the whole idea that a citizen ought to be able to go his own way unless there is reasonable cause to believe he is in some fashion or another conducting himself in a manner detrimental to society.

Because of the inclusion of this section, which

is only a small part of this whole bill, I must emphasize that we must seriously consider the ramifications of this. I know this is the response of the Solicitor General to the decision which is noted in the bill itself.

I can appreciate that the RIDE program is very successful. I say to the members of this House that we support the efforts to try to deal with the problems of the drinking driver. I have no concerns about that at all, except that I want to be very sure that this whole amendment is treated seriously. I cannot help but say that when I count four members of the governing party, without the Solicitor General being here, that this whole thing is being—

Mr. Nixon: Not a single cabinet minister.

Mr. Elston: There is not a single cabinet minister here, in a situation when we have serious, serious—

Mr. Ruston: Mr. Speaker, on a point of order, please: I do not see a quorum. Would you check please?

Mr. Speaker called for the quorum bells.

11:04 a.m.

The Acting Speaker (Mr. Cousens): We have a quorum.

Mr. Elston: Mr. Speaker, it is nice to see the extra members come in for this very important bill. I have a feeling that a good number of the members may not have conducted a thorough study of this piece of legislation and what it means to the people of Ontario, or I think they would have been here to listen to the opening remarks and to listen to the remarks of the members who wish to speak on it. In fact, they may even want to—

Mr. Eaton: There happens to be a committee operating as well.

Mr. Elston: There is one member who obviously is not concerned with what happens in Ontario. He would far sooner interject.

The Acting Speaker: Order.

Mr. Eaton: Mr. Speaker, on a point of privilege: There happens to be a committee going downstairs as well, and some of us are serving on that committee.

Mr. Foulds: You guys came back here before when we asked you on Thanksgiving Day.

The Acting Speaker: Order. The member for Huron-Bruce will speak to the bill.

Mr. Elston: Thank you very much, Mr. Speaker. Maybe it is a bill that very well should

be spoken to briefly, but there are so many areas that have to be dealt with that each one has to be spoken to briefly indeed.

I will not continue very much longer, but I do want to make another couple of comments. One or two of them have come from various sources. One is from an editorial in the Windsor Star, which talks about what it describes as "McMurtry's law." They have entitled their editorial of Tuesday, December 1, "Almost guilty is not enough." I think that probably in many ways capsulizes the feeling of a good number of the people on this side of the House.

I had mentioned three points, but since the Solicitor General has come in, I will recap. I mentioned that I thought his determination to deal with the drinking driver on the roads was a good one, but that the creation of an "almost" offence was something that should very seriously be considered. I want to tell the Solicitor General I thought he ought to be here because of the important nature of this particular piece of legislation.

It has come to my attention that he has written a letter to the Globe and Mail indicating there is no sort of discretionary penalty put in place, but I want to point out to the Solicitor General, now that he is here, the pieces in the bill that give that discretion to the police. He will see that under section 1 of this amendment act, in the revised or amended Highway Traffic Act, section 30a(1), provides, "A police officer may request the person to surrender his driver's licence." In subsection 2 of that section it says, "A police officer may request the person to surrender his driver's licence." Subsection 3 again says, "A police officer may request the person to surrender his driver's licence."

There is certainly a great deal of discretion in those sections. They ought to be looked at very carefully because the police officer is in a position, as the person who is conducting the test and who is enforcing the law, of making the judicial decision as to whether to suspend or not. They are very dangerous areas. That is on top of the whole issue of whether or not we should be setting a new standard apart from the Criminal Code of Canada.

I think I have spoken at length on this. I set out in some detail the reasons we cannot support this particular piece of legislation in principle. I would urge all members to consider the ramifications of this bill in much more serious detail than obviously has been the case before for a number of them, and ask that this matter be not approved of on second reading.

Mr. Mackenzie: Mr. Speaker, I rise to indicate support for Bill 178 from our caucus. I want to make a few observations that I think have some bearing on it. I am not going to go into the individual clauses. Some of them cause us some small concern, but those will be dealt with by the member for Riverdale (Mr. Renwick) or the member for Cornwall (Mr. Samis) in their remarks on the bill.

11:10 a.m.

First, I want to make it clear that I think at least the origin of the recommendation contained in this bill is my ex-colleague in the House, the former member for Yorkview, Mr. Young. I do not know of anybody in any party who deserves more credit for a lifelong crusade in terms of highway safety, problems of drinking drivers, the rest of it—

Mr. Riddell: He had a good committee working with him on it.

Mr. Mackenzie: Yes, and the honourable member served on it and supported recommendations just like this bill. I do not know how he can now reverse his position.

I think Fred Young should be remembered for his intense crusade, which came from the heart, for safety on our highways and safety in terms of having one's right to the road not be abused by those who drink and do not have control of their faculties.

When one takes a look at the final report of the select committee on highway safety, the first committee I served on in this House and I think probably one of the more hardworking and best in terms of all committee members' commitment, we had a number of things brought to our attention. We were trying to deal with a number of points early in the committee.

I am looking at the terms as set out in Fred's own thinking. He made plain and clear the need to improve road safety in Ontario. It was obvious to anybody who wanted to take a serious look at it. He pointed out that in a normal year, more than 200,000 reported accidents occur on the province's roads, involving more than 10 per cent of all registered motor vehicles in Ontario. That has probably increased since.

In any given year, as many as one family in 20 will have a member injured on the road. One family in 1,000 in Ontario will have a member killed on the road. In 1976, for example, 83,736 persons were injured in 58,028 accidents on the province's roads. Another 1,511 died in 1,265 fatal accidents. At that time, road accidents were the fourth leading killer in the province.

This is the background of our concern for the need for tougher enforcement and the opportunity for provincial authorities to deal quicker and tougher with drinking drivers.

One thing pointed out in the section on the impaired driver—and I think the magnitude of the problem has to be understood in Ontario—is simply that in 1975, alcohol was involved, for example, in 12 per cent of all property damage accidents, 19 per cent of all nonfatal injury accidents. But get this, Mr. Speaker: 26.5 per cent of all fatal accidents on our highway had alcohol involved; 51.8 per cent of all driver deaths in accidents on the highways of Ontario involved alcohol.

Those figures are so overwhelming that I do not see, even with admitted reservations of some of the sections, how anybody can really make a case for a civil-libertarian issue in this legislation. It is a straight issue of whether we are going to talk forever about how all of us are against impaired and drinking drivers on the highways—words do not mean much—or whether, somewhere down the pike we are going to decide finally that we have to do something that may have some effect on it.

I think the evidence before our committee was that some measures proposed in this bill can have some effect, in terms of what amounts to nothing less than carnage on our highways when it comes to drinking drivers.

There are a number of problems. The committee found that increased apprehension and severe penalties worked rather well in jurisdictions where they have been tried, especially if coupled with a fair advertising campaign of the kind of actions that were going to be taken.

Evidence also indicated that after a period of two or three years there was a tendency to fall back on the level of enforcement. I guess that is one of the problems we are always going to have to live with down the road. What do we do to follow up? Is it a periodic major campaign? I am not sure of the answers to those questions, but the evidence is that initially it can work and work rather substantially. In jurisdictions where it was coupled with an effective advertising campaign, we found the results much more dramatic.

The report also showed that relatively few impaired drivers, and this is one of our problems in terms of the numbers that are involved and the need for some specific actions, are being apprehended at current enforcement levels. A roadside survey conducted by Statistics Canada, part of our report in section 4-3, revealed

that on Thursday, Friday and Saturday evenings about 6.4 per cent of all the drivers on the road were legally impaired.

It has been estimated by an official of the Ministry of Transportation and Communications that impaired drivers could drive 26,000 kilometres in this province before being apprehended. That is probably equal to, or more than, a year's driving for the average driver. Another estimate was that a fully impaired driver probably had less than one chance in 2,000 of being apprehended on the road. Therein also is part of the reason for the need for the kind of legislation we have before us in this bill.

Some way has to be found to persuade a significant portion of potential offenders in the province to refrain from driving while impaired. I do not think this bill is going to add a tremendous amount to it, but it is another step. I think that is why there probably has to be an ongoing publicity campaign involved with it.

There is another element to this proposed bill that makes it imperative that we take some action, even with the few weaknesses that may be there. Apart from the tremendous toll in terms of drinking drivers on the road, the only other group that had anywhere near as bad a record were the young drivers, the new drivers in the 18- to 23-year-old group.

While they could, in individual tests, be among the best drivers with the quickest reactions, as we found in the select committee on highway safety, we also found that whether it was the new freedom, the speed or whatever, they were involved in a tremendous number of accidents. Young people like to experiment and are going to go out to parties and have a few drinks. What really threw the committee was the fact that when one melded the young driver with the drinking driver, one had an accident and death toll that was almost unbelievable.

We are cutting off an awful lot of people who are in the prime of life if we are not making efforts to stop them. I do not want to take a lot of time on this, but I have not gone into the social costs that are a result. I have dealt with one, two or three cases, I guess, since I was elected, some of them for other reasons such as a swimming accident, but a couple were car accidents with quadriplegics, young people with families in my constituency.

In one or two cases, alcohol was involved and I know what has now happened to that person and that family. I know the agencies in our communities and the kind of support services

one is fighting for all the time, to get some little assistance in the way of life they are now subjected to.

We simply have to deal with the problem facing us, even with the reservations we have. Some recommendations have been made as a result of the report that came out in 1977-78, but nowhere near enough. Lifestyle advertising in terms of alcohol, for example, is not dealt with in this so I will not get into it, but we have not been anywhere near tough enough in terms of that recommendation, which was also made by this select committee.

One of the things we said clearly in that report, signed by the Liberal members as well, was, "While the preventative measures recommended above will, when implemented, deter some drivers from combining drinking and driving, police apprehension of drinking drivers must be upgraded, and appropriate legal sanctions must be applied to those who continue to endanger public safety on Ontario roads."

Mr. T. P. Reid: That is "appropriate." That does not mean a Fascist state.

Mr. Mackenzie: Fascist? I have never heard anything more ridiculous from the honourable member. I dealt with the civil-libertarian deal. Anybody who says that somehow or other one has to be a Fascist because one is trying to stop the kind of carnage and deaths we have on our highways is a fool.

The Acting Speaker: Speak to the bill, please.

Mr. Mackenzie: In some progressive jurisdictions, one of them Sweden, there are jail terms in conjunction with one's licence being lifted for drinking driving. I am not sure that should not be one of the things we should look at seriously as well. We need a comprehensive program, but we have to come up with more answers than are in this bill. That we are going to have to have ongoing vigilance is obvious.

Let me once again, slowly but carefully, go through the kind of statistics we were faced with in this particular committee. Of drivers killed in fatal collisions, 33.6 per cent were impaired. When one added those who had been drinking, and that is up to the 0.08 legal limit we currently have, it was 51.8 per cent. As to pedestrians killed—and they do not have much option in terms of whether they have any defence against the drinking driver—13.9 per cent of all pedestrians killed died as a result of impaired drivers in Ontario. When one added to that pedestrians killed as a result of drinking but not impairment, it rises to 22.1 per cent.

Where are their civil rights? What kind of a Fascist measure do we have that might help to stop these people being killed?

11:20 a.m.

I have no hesitation at all. We might have liked to see one or two of these things expanded. I think my colleagues may go into the fact that there is not going to be justice in terms of whether one can get home or can get a ride, depending upon the kind of transportation available in different areas of the province.

There are a number of individual points that did concern us, but we did not see this as a civil-libertarian issue. We did see it as one of the first concrete, positive steps in response to a recommendation of a select committee that clearly pointed out a need to act in an area that was having tremendous personal, financial and social costs in the province, and we welcome the introduction of the bill.

Mr. T. P. Reid: Mr. Speaker, I am always fascinated by the approach of the New Democratic Party on matters like this. I wonder where the member for Riverdale was in the caucus. I find it difficult to believe that a civil libertarian, or one who considers himself to be such, would be prepared to support this kind of legislation.

Since the election, a strange mood has pervaded the opposite side of the House, an authoritarianism creeping back into the province that is reminiscent of the infamous police bill of a few years ago, which led to the demise of the then minister of justice. Let us just go over what is happening here, that completely anti-democratic attitude over there, now that they have the authority to do whatever they like, aided and abetted and paid for by the 30 New Democratic Party members.

They took the attitude in the human rights bill that they were prepared to give people who have no judicial authority the right to enter premises and take books and investigate. Now there is this bill, saying if you are stopped by a policeman on the highway and you show 0.05 alcohol/blood percentage, that policeman is then going to be able to take your licence for 12 hours. We have allowed or will allow the policeman to be judge and jury and to mete out punishment all in one bold stroke. What kind of an attitude are we fostering in this province when we, as a Legislature, are prepared to allow this?

There are other remedies. I agree with my friend the member for Hamilton East (Mr. Mackenzie) that the carnage on the highway has

to be stopped. But is it supposed to be at the expense of the civil rights of the people of Ontario and by this method that we do it?

We are all concerned. We had a select committee. We all have personal experiences of these things happening. If so, one of the remedies is to go to Ottawa and say 0.08 alcohol/blood level is too high, that they should make it 0.05 and put it at that. But to put the individual and the police officer in the situation that is recommended in the first section of this bill is completely contrary to all aspects of civil liberties in this country.

I am surprised, quite frankly, that the Solicitor General, who has this aura about him and all the media hype about being a great civil libertarian, would be prepared to bring in a bill like this. Surely the Attorney General and Solicitor General knows there are remedies other than this section of the bill in this regard. I would like to hear him answer when he does speak on the bill.

I can tell him it was a travesty in this House when his parliamentary assistant got up and said, "Well, this is an innocuous bill and I really do not have much to say about it." There are some very important principles in this bill. Surely the Solicitor General had a range of options and means of dealing with what we all say is a serious problem, other than by putting this kind of insidious bill before us.

If we are prepared as a Legislature to accept and condone the theory that a police officer can stop somebody, can mete out a penalty, can become the judge and jury on the spot in this particular instance, it is not very many steps down the road before we are going to allow other encroachments on the legal and justice system in this province and on the civil liberties of the people. That is in fact what we are doing; we are allowing the police officer to be judge and jury and to mete out punishment all in the space of five minutes.

Surely there are other ways in which the Solicitor General can deal with this problem. If he feels that 0.08 is too high, that it is a danger to the rest of the public, he can go to Ottawa and say, "Look, Ontario does not accept this; we want it to be 0.05." Then we follow the usual course of events: the person is charged and taken to the police station, he has his day in court and the court decides. This is according to the theory on which justice in western democracy has been based.

The Solicitor General, in one fell swoop,

wants to do away with the entire system of justice, or the theory on which the justice system has been based, by allowing this.

Hon. Mr. McMurtry: Have you talked to your former leader? It was the member for Huron-Middlesex (Mr. Riddell) who signed this recommendation in 1977. Don't be such a bloody hypocrite.

The Deputy Speaker: Order. The member for Rainy River has the floor.

Mr. T. P. Reid: They can sign whatever they like. I am speaking as an individual in this Legislature, and I am telling the Solicitor General that I am concerned—

Interjection.

Mr. T. P. Reid: I am not being hypocritical. I did not sign any such report, and I am giving the minister my personal views, to which I am entitled. If the minister had his way, nobody else would be entitled to criticize or oppose him in this Legislature. That is part of the attitude he has adopted since March 19. It is beyond belief. I can tell the Solicitor General that the great aura of civil libertarianism with which he has been walking around the province, and going to Israel with, and which he has been wearing like a cape, is going to be destroyed by this kind of action.

When people find out what is going on and what the Solicitor General has done fundamentally to the justice system in this province, his name is not going to be held in very high repute. I find it hypocritical—the Solicitor General talks about hypocrisy—that he should go around speaking on civil liberties and then with this Bill 178 attack the very civil liberties that he holds, or says he holds, in such high regard. This is the most anti-civil-liberty bill there has been since the infamous case a few years ago when the minister of justice was thrown out because of it. It is almost as bad as what the minister put in the human rights code.

If there is any hypocrisy involved it is on the part of the Solicitor General to bring in a bill like this. It is unfortunate that we have to pass legislation with a handful of people in the House, particularly when such an important issue as this is involved. For my part I do not intend to participate in attacking or undermining the civil liberties and the justice system in this province. I find it incomprehensible that the Solicitor General is prepared to do so.

Mr. Renwick: Mr. Speaker, I am pleased that the Solicitor General is here. I was a little bit concerned at the beginning, not out of any

disrespect for the parliamentary assistant to the Solicitor General, but because this bill is the most important amendment to the Highway Traffic Act that has come before us in a long time, and I think it deserves very close scrutiny and attention.

I may say right at the beginning that I had recommended to our caucus that we do support the bill—after a considerable amount of thought and, I believe, study, particularly of the judgement in the case of Regina versus Dedman, to which I want to refer a little bit later on.

11:30 a.m.

We had a thorough discussion in the caucus of the questions that have already been raised by my colleagues in the Liberal Party and my colleague from Hamilton East. We came to the conclusion that we should support the bill in its entirety.

I have one matter that I want to raise on a particular point, which I trust the Solicitor General will respond to and suggest to me whether it is possible to meet the concern I want to express. I want to deal with the first section, that is the question to which the member for Rainy River directed his major attack on the bill. I want to leave that until the last. I want to deal with the second and third sections of the bill first of all.

First of all, I would like to pay my personal tribute to Robert Bairn Dedman, who precipitated this whole discussion and should go down in history for the events of the evening of February 4, 1980, at about 9:01 p.m., when Police Constable Feeney, who was operating a RIDE spot check, signalled the defendant, who was driving a motor vehicle, to stop.

The defendant voluntarily complied. Constable Feeney asked the defendant for his driver's licence, and while they were speaking, he smelled the odour of alcohol on the breath of the defendant. The officer then had reasonable cause to suspect that the defendant had alcohol in his body, so he demanded the defendant supply him with a sample of his breath in an approved roadside screening device, pursuant to section 234.1 of the Criminal Code.

I want to emphasize that throughout the whole of the court proceedings it was agreed and understood and admitted by everyone concerned that the officer had no reason to believe that the defendant had committed, or was committing, an offence under the Criminal Code, the Highway Traffic Act or any other statute or enactment. I think it is very clear that

we must understand just what the point was that was raised. This was what has become known as a random stop.

In other words, there is no question that a police officer, under the Highway Traffic Act—as it has been for a long time; section 19(1) at the present time—can ask a driver of a motor vehicle to produce his driver's licence. That has been part of our law for a long time. The vexed question that was precipitated was whether or not the police officer could request the car to stop and, if the driver had to comply with the request, whether the police officer then could ask for the licence. In other words, was it an ancillary power of the police officer, since the Highway Traffic Act said that the moment he was in contact with the driver he could ask the driver for the licence?

The question then became, could he stop a car in order to ask for the licence? Could he stop it not only under the particular section to which I referred, but under section 114 dealing with the general power of a constable with respect to traffic, or for any of the other purposes?

It was quite interesting to note, of course, that the judgements of the court, to which I refer very briefly in the course of my comments, very clearly said that was not the case that was before the court, but since it had been raised, the court should deal with the question, because in this case Mr. Dedman had voluntarily stopped. He had complied with the request, so it was not any question of whether or not the police officer was authorized or otherwise. In other words, Mr. Dedman did not try to escape, or did not try to refuse the request.

In the course of the court judgement, it got a little bit confused and was finally straightened out. I want to say that anybody who wants to talk about this topic is under an obligation, in my view, lawyer or non-lawyer, to read the judgement of His Honour Provincial Court Judge Charles in the original case which came before him, then to read the judgement of Mr. Justice Maloney in the Supreme Court of Ontario when the appeal was taken by the crown on a stated case against the dismissal of the charge against Mr. Dedman, and then to read the unanimous decision of probably the most powerful court in Ontario, if not in Canada, presided over by the Chief Justice.

The other judges who were sitting on that appeal were Justices Brooke, Martin, Lacourciere and Weatherston. Mr. Justice Martin, who is probably the ablest criminal lawyer sitting on the Court of Appeal as a judge at this time, gave

the unanimous decision of the court. It is an intensely interesting review of the problems involved in the relationship between a police officer, an automobile, and the driver.

Anybody who thinks they are not complex questions that are involved has no conception of the care and attention which the judges give to the citizen's rights in this kind of a situation to try to sort out what the balances are in relation to it. It is sufficient to say that Mr. Justice Martin, the justice in appeal who is dealing with this case, said in his judgement:

"Since the respondent complied with the officer's signal to stop, I am not required to decide whether in the circumstances the officer, in giving a signal to stop, was validly exercising an implied power under what was then section 14 of the Highway Traffic Act, now section 19, or was validly exercising a power ancillary to his general duties to protect persons and property and to detect crime, thus rendering the respondent, had he not stopped, liable to arrest for wilfully obstructing a peace officer in the execution of his duties.

"Those are questions of some difficulty requiring careful consideration which should be reserved and decided on the facts of a particular case, if and when it becomes necessary to do so. It is, of course, within the competence of the Legislature and Parliament to place the matter beyond question."

The first point which I think members of the assembly have to be very clear in their own minds about is that section 2 now answers that question, I believe, for ever, or as one of the English judges in the case said, "willy-nilly," because it states, "A police officer may require the driver of a motor vehicle to stop and the driver of a motor vehicle, when signalled or requested to stop by a police officer who is readily identifiable as such, shall immediately come to a safe stop."

It is obvious the draftsmen of the bill in the ministries involved, and the legislative counsel, have done everything that is possible by language to indicate that there is no loophole in it, that it is "willy-nilly." One must stop. It solves even the open question which, as I understand it, remains open in England, where part of this section is in force.

This simply states that one must now stop. The officer does not have to have any reason for stopping you, he does not have to give you any reason for stopping, he does not have to stop you because he wants to check whether your vehicle is mechanically fit, he does not have to

justify stopping you because he wants to ask you whether you have got your driver's licence, although that was the question which was precipitated, as I tried to indicate.

This is the point I want the Solicitor General to answer. It is the sole concern which I have on the bill. Everybody has been talking about a random stop. A random stop, in my limited knowledge, and I want to make it very clear, would be where the police officer has no indication whatsoever that any offence of any kind is being contemplated or committed. I want to make it quite clear that what has generated all of this talk is the random stopping. I question whether or not the bill is sufficiently clear whether the power we are giving to the police officer is to be exercised randomly or arbitrarily.

11:40 a.m.

I trust I can make the distinction. The right we are giving the police officer here, if exercised at random, would mean, in my view, that he would stop every tenth vehicle; in other words, it would mean there was no indication that this power was simply an arbitrary power as distinct from a random power. I say this because I realize that one way or another a bill like this has got to have about it a sense of goodwill and co-operation between the citizenry and the police force. I want to be able to give the police the full benefit of good faith in the whole operation.

I would be concerned if, in one of the unprovable kinds of situations that may arise, a pattern of conduct were to develop for any number of reasons; for example—I say this very advisedly, and I am not making a scare comment—if it were used as an instrument for harassing, say, young people who were driving, people who happened to appear to be young or who happened to appear to be black.

I want to emphasize that this is my sole concern about the bill. We have all been thinking about it, ever since the question arose of the Christmas-period random stopping by the police—the questions that arose in the reduce impaired driving everywhere program, the questions that arose over in the peninsula; all matters that were the subject of debate until the final judgement of the Ontario Court of Appeal on the issue. Now we are trying to do that.

I think if one was to tell the public what we are talking about they would choose the random stop, not the arbitrary stop. That is my one serious concern, and I say this because I now want to refer very briefly to the RIDE program

as it relates to this matter. It was very carefully understood that the RIDE program was a program, and the program is described in the judgements. In other words, it was a program specifically devised by a particular police force in a particular area, according to which they would go to certain places and intercept persons coming from those places at random in order to try to curtail this problem of impaired driving. That is the way it was done.

This does not talk about any program; it does not talk about randomness. It talks about this other question. Again, I emphasize it is only coincidentally that one of the items might or might not have to do with the drinking question. It could be any case. That is my single concern about that problem.

The second part to which the member for Huron-Bruce has referred is the linking of that power in the police officer with the police chase. It states—not in my language, not in this case—that if failure to comply with a request to stop one's vehicle precipitates pursuit by the police, which could be a police chase, then in addition to any other fine or imposition that can be made on the person or any other punishment that can be meted out, he can have his licence suspended for up to three years.

I believe, in reading it, I am satisfied with the way in which it is drafted and I believe I understand it is a useful adjunct to the whole range of things which have to be dealt with in the question of police chases. We have been dealing with them in various aspects for some time.

I do not happen to be as convinced as the Attorney General and Solicitor General is that we have the best police chase rules and guidelines anywhere in North America. That, of course, is an unprovable proposition. If that happens to be the case, there are still some problems with them. This is not going to solve the whole thing, but I have no objection to it in principle.

Suppose I am driving and, for example, taking a very ill person to the hospital or had some good reason for not abiding by the request. I am driving and I am not being foolhardy. I am driving as prudently as I can, given the circumstances, but I have to make a choice as to whether I am going to disobey the police officer because I believe I have to get the person to the hospital.

I would like to be well satisfied that a person would be able to justify both the failure to respond and the larger penalty which could be

imposed if the failure to respond precipitated pursuit by the police. That is a concern I have and I hope the Solicitor General and Attorney General will speak to it later on in the bill.

The other question which I think has to be emphasized is that for the first time, if a person contravenes a signal by a police officer to stop the vehicle, we are making that an arrestable offence without a warrant. I think it is very clear that is what we are doing. Until the present time, the provision which said that one had to produce, on request, one's driver's licence did not of itself constitute an arrestable offence without a warrant.

Here we are going further and we are making it that a person can be arrested without a warrant if he fails to obey the signal, fails to stop and is then apprehended. The person can be subjected to arrest immediately without a warrant. That is detached entirely from the production of the licence question, but in the simple situation which I posed is the basis on which this whole section has been drafted.

I think we are satisfied with the extension of that power in this instance but I do not think it should go unremarked in this House that it is a significant additional extension of the basic principle we are talking about in introducing into the code what will become known as section 189(a) of the act, which is the provision in section 2 of the bill before us.

I can say without trying to categorize the principle on which I have come to that conclusion that section 2 of the bill has assisted me greatly in resolving what has been raised as a civil libertarian issue. I do not happen now in my thinking, if I ever did, to see in civil libertarian terms something called the relationship between a vehicle, a driver, the highway and a police officer in a highway traffic sense.

I do not really see in civil libertarian terms the safety of the public to be ensured by the person who is driving what is at least potentially a dangerous vehicle. I think any civil libertarian aspects of that matter will be dealt with well in the courts if this power we are now giving under the Highway Traffic Act should result, for example, in an unreasonable search or seizure.

11:50 a.m.

I would think the courts would be very alert, certainly at the higher levels, to protect the citizen. I think we have to be certain that a Highway Traffic Act, regardless of what the words in it say, has a relationship with the control of traffic on the highway.

Again I emphasize, if one reads very carefully

the judgement of Mr. Justice Martin in appeal on the whole question of the relationship between a subject of the crown and a police officer with respect to stopping and questioning in that kind of event, one will understand that, even with these words in this bill, that does not mean suddenly the police become entitled to exercise some arbitrary decision of their own in these matters.

The member for Rainy River is making a noise. I was trying to say this kindly to him: I wish, even in the time left, he would read every line of the judgement of Provincial Court Judge Charles, Supreme Court Judge Maloney, and the unanimous decision of Mr. Justice Martin in appeal for the five judges who heard that appeal.

The questions are not simple. The question of liberty of the subject does not simply go by the board because a police officer is given, in five lines of a statute, that kind of authority. The judgement goes exhaustively into those kinds of questions, and indicates those that are answered and those that are not. I think one has to understand the nature of this specific problem, so I do not have any particular problem on section 2.

On section 1, the issue is a very narrow one. Of course, it refers to the Criminal Code. One can be stopped under the Criminal Code at the present time for a roadside test both with respect to the roadside test and with respect to the breathalyser test. So the very narrow issue involved in what the government has introduced in this bill is the question of what to do where the available evidence indicates that about 0.05, impairment of the ability to drive a motor vehicle begins to have an effect on the normal citizen in society.

Certainly we have the standard that brings down the sanctions of the Criminal Code at 0.08. Nobody disputes that. It may well be that somewhere down the line, society in Canada will decide that should be 0.05. I do not think we can have the luxury of subjecting people to danger in society simply by saying that until that day comes we can do nothing about it. I give credibility to the studies that have been made. I give credibility to the unanimous report of the select committee on highway traffic safety.

I have always respected the interest and the sanity and the judgement of the former member for Yorkview, who was chairman of that committee, in all matters related to this field. I pay tribute to my colleague the member for Hamilton East and my colleague the member for

Oshawa (Mr. Breaugh), as well as my former colleague for Windsor-Sandwich who sat on that committee for this party.

To read that report—and my colleague from Hamilton East dealt superbly with the report this morning—one cannot come to the conclusion that an individual can claim, as a civil liberty right as against the danger he may cause to others, to be exempt from this kind of provision. It is not, in my judgement, an interference with something called the civil liberty of the subject. I took that test yesterday. I must be remarkably average, because it worked out about exactly as it said it would.

Given that I weigh 180, give or take a few pounds, they said if I had three glasses of wine in an hour I would be at about 0.05. I did not pursue it to the ultimate; I simply had one glass of wine. After about 10 minutes, I took the test on the machine and I was at 0.017. Therefore, in the nature of the case, it indicated to me that after three drinks in an hour, I was at a point where I would not mind being told, "Jim, it would be a good thing if you did not drive." Even though on occasion—I say this advisedly—I have not heeded my own inner voice, I would not mind someone telling me it was about time I considered taking a cab or walking rather than driving an automobile.

We considered the Solicitor General acceded to the suggestion quite readily that he provide an opportunity, in the environs of the building, to have the test carried out. I was able to talk to the director from the forensic centre in this field. He explained to us how the equipment works. I think that deserves a word. I would hope the Solicitor General would comment about it. It is only one unit being used at the present time throughout Canada and it is manufactured solely at Mississauga.

It certainly requires us to have confidence in the police that they will calibrate it properly, in accordance with the law, as provided in section 1(7) of the bill, which says that for the purposes of this request to surrender, request to take the roadside breathalyser, "the roadside screening device shall not be calibrated to register 'Warn' when the proportion of alcohol in the blood of the person whose breath is being analysed is less than 50 milligrams of alcohol in 100 millilitres of blood."

I am certainly prepared to accept that in good faith, as I do now with the breathalyser. There were difficulties and technical objections for a long time in the calibrating of the breathalyser. I trust the Ontario Police Commission will advise

all police forces of the extreme necessity of good faith on the part of the police forces about the accuracy of that calibration. It cannot be something that could be subject to some form of negligence with respect to the adequacy of that instrument.

We are relying—I am saying that for our caucus—on the objectivity of that test, so that it is not an arbitrary decision of a police officer. We are relying upon the accuracy of the instrument, within the limits that it is supposed to achieve, that it will be calibrated properly. It can be calibrated and function only if it is a first-class instrument and if it is calibrated by persons skilled in the calibration. Not everybody can calibrate a machine accurately.

The first point I want to make—I trust that members of the Liberal Party will understand it clearly—is that from what I could see yesterday, I am prepared to accept both the capacity and the quality of the instrument, and I am prepared to accept the good faith of the police officer that it will be calibrated properly and administered properly.

On that basis, I have no difficulty resolving the question of civil liberties if a person is stopped legitimately, in accordance with the demand by a police officer, made under section 234.1 of the Criminal Code. That is the safeguard. The demand is not made under the Highway Traffic Act. A police officer must be acting under The Criminal Code in both instances.

When he is acting under the Criminal Code, the person must supply a sample of his breath, which on analysis would produce so and so, then, if it is not at 0.08 but it is over 0.05, the police officer can say, "I am going to request your licence." That triggers the rest of the operative part of the section, which is a 12-hour suspension, and whatever the consequences of that may be, which I could come back to.

12 noon

I understand clearly that in that situation, if I do not agree with whatever the reading on that machine may be, I could request, and the officer would be under an obligation to take me to the nearest station where there was a breathalyser machine, and I could have the objectivity of the first test checked at the second location. I understand that is the way it happens.

The question simply boils down to the request for the licence in order that it be suspended for 12 hours and the consequences of it. What are the consequences? Presumably, it depends ultimately on a lot of co-operation and a lot of good

faith and understanding which I am prepared to extend in this kind of situation to the police officer.

That is, if it is possible to get the vehicle to some place, to the person's home, or to some other place, because there is somebody else there or there is some convenient way of doing it, or to some place where it does not cost any money to keep it, presumably the police officers will do it. In Metropolitan Toronto there is a tendency to put them in the pound, and that begins to cost money.

I do not know how much it is. It has been a couple of years since I have had occasion to have any knowledge of pound charges, but I think that an overnight charge is about \$40 or \$50 at the present time in Toronto. I do not know what it is elsewhere in the province. In other parts of the province they may not have pounds. There is also the element of inconvenience.

It seems to me that when we balance all of that off, in the light of the evidence, I have no sense that in the situation which is provided for in section 1 of the bill, which will become section 30a of the Highway Traffic Act, that I, who am as jealous of my particular civil liberties as—at least I would match it with anyone in the chamber, and am probably more jealous or sensitive about them than many people are—I have no sense in any way that I would feel my civil liberties or some fundamental principles have been overridden in the care which has been taken in this section of the bill.

We are, as I say, supporting the bill. I want to reiterate the two concerns I have, which basically relate to section 2 but have a bearing on section 1, and that is that this is now not random, this can be arbitrary. On the question of the police officer requesting someone to stop, I personally believe that power, under subsection 1 of what will be section 189a of the act, which is in section 2 of the bill, should be a power which is clearly limited to what I believe everyone in the province has associated with this particular aspect of the problem as it arose, and that is that this was in its nature random.

I am quite a bit concerned about that distinction. I am not speaking for Alan Borovoy or for the Canadian Civil Liberties Association, but I had an opportunity to have a brief discussion with him about it. He has that concern. I think it is fair to say that he takes no serious objection to the balance of the bill. I leave that for him to make whatever formal statement he may wish to make about the bill, if

called upon. I hope he would, because I think it would go a long way to allay concerns people may have about this matter.

The second matter is the question of precipitating a police pursuit by failure to obey the signal of the officer where there are reasonable grounds for doing so, or extenuating circumstances, and whether or not that protection is inherent in the bill.

I want to make one last comment about my being able to accept a bill such as this in the face of attempts that have been made to translate it into a civil libertarian issue. The last time I spoke on this issue, and I still feel as equally strongly now as I did then, was the requirement with respect to photographs on driver's licences. I felt very strongly about that issue because to me that is a civil libertarian issue divorced from automobiles.

That simply meant it was one very long stride towards a compulsory identification card for the citizen. That was my serious concern at that time, because once you put a picture on the driver's licence, in one stride you require a large number of people to carry an identification card. I still stand by my criticism of that. I think that is truly a civil libertarian question. This is not.

I would like to have had the opportunity to have studied all the information and statistics my colleague referred to. I know the depth of feeling this question engenders, but on balance I believe our caucus has taken the proper approach to this difficult question in agreeing to support the bill on second reading. I await with interest the comments of the Solicitor General.

Mr. Conway: Mr. Speaker, I would like to speak briefly to what I consider is an important bill. In a preliminary way I want to make a couple of comments because 10 days ago, upon first really hearing of what Bill 178 involves, my initial disposition was very much to support it. I want to say two or three things about how this impacts upon me personally. I drive an awful lot, probably as much or more than most members in this House.

I do not drink, not that this is an important question, and within the last year my best friend was killed on the highways of Ontario. I have had some personal experience with the carnage aspect that I think moves us all. I do not think there can be any dispute anywhere about the public concern and the efficacy of the public concern with respect to the whole question of drinking and driving, the hazard and the carnage that is represented by that most heinous of realities.

I would hope there would be unanimous consent about support for public policy which seeks to alleviate that burden under which we all labour. It is an important and desirable objective, one I happily and entirely support.

I have done some background work on this, although not really as much as my colleague from Hamilton East and others who have had some experience with the select committee in this Legislature about four years ago and not as much as the member for Riverdale, who has indicated he has read completely the various decisions to which he made some reference. However, I believe my objection is fairly straightforward. I think Bill 178 is bad law.

If I am being told that 0.08 is insufficient to protect the public good then I want to tell the Solicitor General he will find no one in this chamber more anxious than I to deal with that problem.

12:10 p.m.

I want to deal with it in what I believe to be a right way. I do not think the double standard involved in Bill 178 is an appropriate way. I know my friend and colleague the member for Cornwall (Mr. Samis) is perhaps going to deal with this more than I but I am want to remind the Solicitor General that some of us represent border constituencies. We are going to be faced, it seems to me, with a very real application of a double standard with respect to the whole question of drinking and driving.

I have yet to have anyone tell me why we must deal with the problem, if it is a problem, only in this way. Yesterday or a couple of days ago I asked some of the lawyers in my caucus why, if 0.08 is so terrible, we do not just make it 0.02 or 0.01. I do not know, but let us err on the side of caution.

The only answer I have heard is, "You must understand that is a matter for the Criminal Code and the Criminal Code is amended rarely and only with the greatest difficulty." I do not know if that is an accurate representation of the problem, but if that is the case, that is still not enough for me.

I cannot accept the principle there ought to be two levels for drinking and driving in this province. I listened with great care to the arguments made by the member for Riverdale who, I thought, deviated somewhat from his traditional pattern of argumentation which is generally characterized, for me at least, by a piercing, logical presentation of a generally powerful case.

With all due respect, listening to the member

for Riverdale was like reading a Papal encyclical. Some of the distinctions about civil liberties and other related matters, I say with some sorrow, escaped me entirely. I personally see this as something of a significant civil liberties issue. I admit I have more background reading to do, but I was not persuaded in any way by the member for Riverdale in his summary of the case.

If it is the case that 0.08 is inappropriate—I am not so sure that has been established, but I am quite prepared to say to the Solicitor General it may well be—why are we faced with a situation where we now come with this sort of second stage?

I am altogether in favour of joining with him and everyone else in establishing a fixed and firm standard that applies equally to everyone across the entirety of this province. I have some of the same reservations about the matter the member for Riverdale mentioned about the application. Perhaps I have more concerns.

I am a little worried that making the officer the judge and jury is going to create a real roadside problem for many young people in particular. My objection which is a basic and, I believe, real one has to do with the entrenchment through this legislation of a double standard. I want to know why we need this kind of situation confirmed by law whereby, under some conditions, it is 0.08 and on others it is 0.05.

It is somewhat paradoxical to me that it ought to be this Solicitor General in this particular week who is coming forward in such an aggressive way with this bill. When I hear the rather aggressive position taken by members of the government on the problems of drinking and driving in this province I am tempted to recall some of the historical platform of this party and to suggest that perhaps much of the problem relates to the ever-increasing profiteering of that government monopoly, the liquor business. As I see it, and as some of my constituents would certainly argue, it bears its share of responsibility for the carnage that upsets us all.

The Solicitor General might want to go back and read the speeches of former Attorneys General such as W. F. Nickle and leading jurists such as Newton Rowell to see how social problems of this kind might be dealt with. I do not want to bore him with that kind of antiquarian matter. I just want to say again—

Hon. Mr. Elgie: National crisis.

Mr. Conway: I am glad to see the member for York East here.

I am concerned about this not because I have any difficulty with the objective; it is an absolutely first-order concern of all of us. But it was like the Minister of Health (Mr. Timbrell) coming to the House a couple of months ago and saying, "We have a very serious problem in one hospital and we need some legislation to deal with it." For the one specific problem he rides in here with omnibus legislation. To that I say "Bad law." He has not made a case for that kind of omnibus intervention.

To the Solicitor General in this case I say only that if 0.08 is a problem, and there is no question in my mind he feels it is, let us deal straightforwardly with the matter. I am altogether in favour of establishing a 0.05 level. I am altogether in favour of accepting a 0.01 per cent level, because I quite frankly feel much more immune from those injunctions than many other people. My jeopardy is to that degree, and for some of the other reasons cited earlier, probably much greater; but let us do it the right way.

I cannot accept this kind of legislation on the grounds that—and I have been hearing it today and before I got here today—"Listen, Conway, this very important end justifies these means." As a small-l liberal—not as a Reaganite, not as a fascist—I was somewhat concerned that the Solicitor General would feel the need to use this kind of language, with respect to me at least. I do not feel my objections are fascistic or Reaganite, though I do not know what the latter really means.

Let us do it the right way. Let us recognize that passing law on the basis that the end justifies the means may not be a very appropriate way to legislate for the peace, order and good government of the people of Ontario. I have yet to be persuaded that we need this peculiar kind of legislation entrenching the double standard. It seems to me that if 0.08 per cent is a problem let the Criminal Code of Canada be amended to establish a new, more cautious, more conservative standard that would satisfy the concerns of all honourable members. I feel they share entirely the very important, laudable objective of reducing and, we hope, eliminating the carnage on the highways of Ontario as a result of drinking and driving.

Mr. Samis: Mr. Speaker, I rise to speak on this bill, I must confess, with a certain ambivalence. As the member for Riverdale outlined, we had a very lengthy and informative discussion in caucus on the position we would take. I did read the report of the select committee on the topic, and I recognize that they have done a great deal

of study on the subject. I do recognize there is a problem in terms of drinking on our highways and there is a considerable amount of public concern. I do support the basic principle of the right of the police to stop a vehicle if they have any questions as to impairment, or anything else. I believe that is within their legal jurisdiction. I accept the idea that a citizen must obey any request from the police to stop or to examine the contents of the car or the physical condition of the person driving the car.

12:20 p.m.

I can accept the idea of adding a further suspension for those who refuse to accept the authority of the police, whether it be for testing or for stopping, and for those who create the situation that produces the police chase. I accept the principle that we must be tougher with those people. I am not convinced this provision will serve as a deterrent, but I am willing to try it and see if it has any effect. But I must confess I have severe reservations about this bill—in fact, severe enough to dissent from the members of my caucus and party on this. I am not convinced by the previous speaker's outline that the end justifies some of the means contained within this bill.

I was rather struck last week by the fact this bill has been able to get the *Toronto Star*, the *Globe and Mail* and the *Toronto Sun*, an unlikely trinity of journalistic aggregations, all into the same bed opposing this legislation. That made me think the Solicitor General has a rather unique achievement in Ontario politics, since I have been here, by creating that degree of unanimity. This made me think about some of the arguments they outlined and when I went home last weekend I talked to some of my constituents about the idea as well, just to sound them out. I also had my own gut reaction, which was, quite frankly, negative.

My basic reservations have already been alluded to. First of all, I think this bill does create a two-tier level of enforcement or law in Ontario, if not a double standard. The Criminal Code of Canada sets a certain standard defining impairment, which has been established and accepted. I think the citizenry of Canada support it. This bill will create another standard now, and yet we still have the situation that if you violate one standard in one province, you are not violating it in another. I fully accept the argument that if the Solicitor General wants to change the definition or the standard of impairment, it should be changed in the Criminal Code so we have one basic, common standard across this province, if not across this country.

I read with interest this morning the Solicitor General's letter to the editor in the *Globe and Mail* and I was rather interested in the advice he got from the director of the Centre of Forensic Sciences on what constitutes impairment. I was rather curious, so I called up the Addiction Research Foundation because the Solicitor General in his letter said if the average person consumed four to five drinks over a three-hour period, he would probably not exceed the 0.05 per cent level.

I found that if the average person consumed slightly more than two beers within the space of one hour, he would register 0.05 and could fall within the scope of this legislation. It is my experience in my community—an industrial town, a beer-drinking town—that people essentially pop in for a few pints and leave. Those basically law-abiding people would come under the scope of this bill. They would be subject to a 12-hour licence suspension and possible impounding of their cars. Yet they would not have broken the Criminal Code of Canada. They would have gone beyond the realms established by this bill but not beyond the law of Canada. I do not think that makes sense.

Allusions have been made to the cost of impounding a car, which I notice the Solicitor General disputes in his letter. I understand that here in Toronto the cost can run as high as \$100 to \$150 if your car is impounded. Beyond that you would have to add the cost of a cab or other costs for getting home, getting to work the next day; plus the arrangements you would have to make to retrieve the car the next day, whether it is impounded or whether you have to get it moved by someone else.

In eastern Ontario there are specific problems. We have very different standards from Quebec, right along our border, where the drinking age is 18 and where they would follow 0.08 per cent. We have very different standards from New York state, which is right across the river, where many of my constituents go to eat or to drink or both or just have a good time. The drinking age is lower there and definition of impairment is higher.

I suggest that in parts of eastern Ontario and in parts of northern Ontario the idea of impounding a car would cause real problems. Many people go to the bigger cities because that is where the entertainment is. That is where they think they can have a good time, and that is where they can meet a broader cross-section of people. To impound a car there would create real financial burdens on some of those people.

The worst thing of it all is that they have not broken any law in terms of the Criminal Code. If they are above 0.08 per cent, fair enough, they have broken the law of Canada and we should throw the book at them in that sense. But if someone is apprehended at 0.05 per cent, has to have his car impounded, has to go back 15 or 20 miles, make all the arrangements and come back in the next night—I really think that is unfair.

If we are going to crack down we should do it especially on hotels. I would really like to see the Solicitor General crack down on hotel owners who allow 15-, 16- and 17-year-old kids in their establishments on a regular basis, and who are commonly known to be drinking and smoking pot in their hotels. I would dare say that is a pretty common happening across this province in hotels. Go into any major town in this province tonight, especially those that have rock music or rock bands or disco, and how many of the patrons would we find under the age of 19. I wonder how many of those hotels have ever been prosecuted, every really—

An hon. member: Lost their licence.

Mr. Samis: Or lost their licence or been put under suspension by the Liquor Control Board of Ontario. We recognize the value of the RIDE program and the idea of reducing the amount of drinking while driving, but after reading the Solicitor General's letter—I recall a letter to The Toronto Star the day—

The Acting Speaker: Does this pertain to Bill 178?

Mr. Samis: It certainly does, Mr. Speaker. Prior to the publication of the Solicitor General's letter, a letter appeared that dealt with RIDE and the headline on the letter was "Police Wasting Money on Spot Checks." I am not saying I agree with that, but I will just quote certain parts of the letter from L. G. Wells of Rexdale. It says: "Metro police began their month of stop and sniff checks. I was not opposed to this program until I read the statistics printed in the article. They are unreal. This kind of waste is madness. Of nearly 54,000 checks, the police came up with 95 impaired driving charges. That is less than .17 per cent. Big deal.

"It also follows that 99.83 per cent of drivers are not drunk. I wonder how many of those 95 were convicted? When one considers the number of officers and police vehicles allocated to the program and the number of man-hours consumed, the cost must be astronomical. As a

taxpayer, I would much rather see this kind of energy being directed to ridding the city of crime which I feel is a bigger threat to the majority of citizens than the odd drunk driver."

I do not agree with the overall thrust of that letter but I think he makes a valid point. We sort of create this aura that this is the solution to the problem. There is no question there is a problem but do we look at the attitudinal aspects of why people are drinking? No. Do we look at the whole question of advertising? No. Do we look at the question of enforcement of existing laws in terms of hotels, liquor outlets, et cetera? No. We just think this is the panacea to the problem; and I just cannot accept that, especially when it creates the double standard.

I notice the select committee was realistic enough to suggest that while they still favour this approach as outlined in this bill, there are some problems. I quote from page 11: "The study teams also found some problems. To the driver on the borderline of legal impairment, the 24-hour suspension," they are referring here to Alberta and British Columbia, "may weaken the deterrent effect of Criminal Code sanctions. In any event, as many as 50 per cent of persons under a 24-hour suspension will continue to drive. The system practised in British Columbia and Alberta permits a driver to incur any number of 24-hour suspensions without additional penalty. In addition, the 24-hour suspension may encourage inefficient or lazy police simply to suspend the licence rather than lay a charge under the Criminal Code when appropriate, further weakening the deterrent effect of current sanctions.

"The committee notes an additional problem. This approach could make possible arbitrary and capricious suspensions by police."

12:30 p.m.

I think some of the concerns raised are not invalid. I think they deal with problems this bill is going to create for the police—new problems, without question. I think of the amount of time involved in terms of testing, forms; and especially if we get to impounding cars, that is going to take a fair amount of their time.

If I am not mistaken the select committee's report said the whole process of laying an impairment charge takes, on average, seven hours of a police officer's time. If we have to get the police not only to enforce the Criminal Code but an act like this, I really think some of them will wonder about the whole value of the Criminal Code provision which is far more serious than offences in the 0.05 to 0.08 range. I

wonder if it will not affect their desire, their determination, to enforce the existing Criminal Code.

Several speakers have talked about the issue of whether it is 0.05, 0.08 or somewhere in between. Obviously there is conflicting evidence. But I think most people in Canada and most people in this province accept the 0.08 level. It has been accepted by the federal government for more than a decade now, I believe, as the legal level of impairment. I think it was first adopted by the government of the United Kingdom in the late 1960s. If I am not mistaken they have re-examined the whole question in the past five years, and they have come to the same conclusion that 0.08 does make sense. It is accepted, it is effective and it is efficient.

I would suggest that we stick with the 0.08 level. I do not think it is lacking in scientific evidence. It is a reasonable basis for defining what impairment actually is. I would suggest we not get into this grey zone of legislating between 0.05 and 0.08. What we should be doing is enforcing the existing Highway Traffic Act and the Criminal Code. If the government does not agree with the 0.08 level it should concentrate its efforts on changing the existing law which clearly has public support across this province, if not across this country.

I support the overall intent of the RIDE program or any other program to remove drunken drivers from our highways. I would support the RIDE program here in Toronto, for example. It is a worthwhile endeavour towards that end. I would support any measure to toughen penalties for drivers convicted of driving while impaired in order to further strengthen the deterrent value of the current law. I would support any new initiative to educate the public—via schools, employers, business, the work place, the media, or whatever—to the dangers and costs of drunken or impaired driving. I have no qualms about the government using some pretty tough imagery to convey the injury, the damage, the suffering and the tragedy of driving while impaired.

I reiterate I would like to see us crack down on those hotel owners who permit under-age people to drink so brazenly, so continuously and so frequently. But I cannot support the bill in its present form because I feel it goes too far, that it creates new problems and violates the rights of those who are clearly within the parameters established and recognized by the Criminal Code.

Mr. Nixon: The Attorney General has already drawn to the attention of the House and to you, Mr. Speaker, that I was a member of the select committee on highway safety that reported some years ago. One of its recommendations called for the government to have an alcohol level evaluation roadside tester program, similar to the one introduced many years ago in Alberta. It would give police officers the power to remove a driver from his car and from the operation of a motor vehicle if he blew 0.05 milligrams per 100 millilitres.

At the time, I can recall the great deal of concern about the numbers of highway accidents, injuries and deaths caused by impaired drivers and of the many accidents that could be attributed to the use of alcohol by drivers. I felt that the experience in Alberta justified a similar procedure in this province. The Attorney General then, I believe, was the same Attorney General we have now. He was not impressed with those recommendations. Frankly I do not recall the implementation of very many of the recommendations except for certain changes in the speed limit.

Hon. Mr. McMurtry: On a point of personal privilege: I think it is quite wrong for the member for Brant-Oxford-Norfolk to say I was not impressed with those recommendations. I never at any time suggested I was not impressed with the recommendations.

Mr. Nixon: I simply point out he did not act on them. We do not have a breathalyser that registers impression, but of course I accept the statement of the Attorney General that he might have intended to take such action. Many years have gone by and he has finally been convinced it is time this Attorney General, the same one as was impressed by the recommendations some years ago, now took this action, just as perhaps his view of the—

Hon. Mr. McMurtry: On a point of order, Mr. Speaker: This is a Solicitor General's bill. I think the House leader might have some appreciation of that fact.

Mr. Nixon: I am not just sure what the Solicitor General, or whatever cap he is wearing at the present time, is trying to convey. What he often conveys to me is that the great heart he has for the public out there gets writ large and illuminated in neon beginning December 1. Have the members noticed that? His name begins to appear on every subway stop just about Christmas time, and all of a sudden the

big problem experienced by drunk drivers and those people who are smashed by drunk drivers is only a Christmas-time problem.

I do not want to be misled from my argument on this by the Attorney General, a person who I think I like personally but who, as a minister, never fails to drive me nuts. Mr. Speaker, I know it is against the rules but I do suspect his motives. I think he keeps his Santa Claus suit pressed and woolly for jumping into in the most spectacular way.

The first time I got an inkling of this was when he dragged an old wreck—it may have been a former minister's car—up on the front lawn of the parliament building where we could all look at it as we drove by. We thought of the carnage on the highways and of the Attorney General, Solicitor General, candidate for leadership or whatever he was at that particular time.

The point I was beginning to make is that I am honestly glad the Solicitor General has decided that report was worthy of his consideration. While I had some concerns about the recommendation at the time, I have even more concerns about it now. I do not believe the results of it in Alberta have justified the intrusions that have already been referred to by those who have been critical of the bill. I am also concerned that the government of the province has seen fit to allow so many years to go by before it picked this particular Christmas to bring it forward as public policy.

The courts of the province shot down the so-called RIDE program a year ago, which they said was not legal because the policeman did not have—what is the phrase?

Mr. T. P. Reid: Ancillary powers?

Mr. Nixon: No. It is some indication the driver of the car should be stopped. There is a phrase everybody uses in that connection. I cannot recall.

Mr. Gordon: A million brain cells die every day.

The Acting Speaker: Order.

Mr. Nixon: "A reasonable and proper indication that the law was being broken."

So I do not feel too much concern when I join my colleagues in voting against this proposal.

I also agree with the position taken by the member for Renfrew South, who indicated that if the standard of 0.08 is deemed to be inadequate, perhaps we should take the kind of action that would change it. Some jurisdictions have 0.1 as the standard and others will not permit any indication on a breathalyser whatever.

There is a broad range there, and 0.08 has been accepted as a range which people understand. It has been tried and tested in the courts. I think it is a reasonable standard.

I know the Attorney General's staff arranged for an alcohol-level evaluation tester down in the dining room of this building earlier on. I was not asked to participate for reasons I am not objecting to, but there was some attempt to persuade the honourable members of the efficacy of the ALERT system. As a matter of fact, the last time we did that, it was the chairman of the Metropolitan Board of Commissioners of Police, Philip Givens himself, who took part. There was quite an interesting procedure as we tested and tested and tested. Of course, the chairman of the police commissioners was not involved in overextensive testing. I want to make that clear.

12:40 p.m.

Mr. Conway: He has a chauffeur.

Mr. Nixon: Of course; they all have. I do not object to the chauffeur, that is not the point; it is the taxpayers buying them their limousines that I object to. But that is another matter.

I am also concerned with the section of the bill that gives a mandatory three-year suspension to anyone involved in a high-speed chase who attempts to elude the police. This is a matter of grave concern. That section is supposed to make it appear to the public that the Solicitor General is taking sufficient action in regard to a problem that really has been plaguing us for a long time, and that offends me. I do not believe it is any sort of a remedy, let alone a panacea.

As has already been pointed out, the law deals very severely with people who drive carelessly or recklessly. To make a special crime of a high-speed chase, under the Highway Traffic Act at least, in my view does nothing whatever to solve the problem. It is a difficult situation indeed, because the police, I understand, have to make a written report under any circumstances where they do not pursue.

I do not know the answer to the situation, because we do not want criminals, or people who appear likely to have committed a crime, to escape without the possibility of legal identification of either the car or the driver. I do not know what the solution is, but I can assure you, Mr. Speaker, that a mandatory three-year suspension is the kind of window dressing that I have found offensive in the past in the initiatives and policies brought forward by the Attorney General.

I also believe the police should have reasonable and probable grounds for suspecting that an individual has broken the law before they stop him. I know the argument about driving a car being a privilege, which the member for Riverdale has found sufficient to dismiss any of the provisions of this bill from the realm of civil liberties. I cannot agree with that. The roads were here long before the cars were, and I believe many people are not prepared to accept the concept that any kind of use of the highways is some special privilege.

Mr. Philip: Where does the Canadian Civil Liberties Association stand on this? I do not see Alan Borovoy in the gallery.

Mr. Speaker: Order. The member for Brant has the floor.

Mr. Nixon: I am not so sure it is such a hot civil liberties issue. If it does not appeal to the honourable member who is interjecting, then of course he has the right to cast his vote, as undoubtedly he will, with the Attorney General.

I do not find myself in the position where I can support the bill. I have no objection nor any particular embarrassment about the fact that a number of years ago it appeared that the experiment in Alberta was well worth trying. It could be that the Solicitor General, in his judgement in rejecting the recommendation all these years, was right.

I have some concerns about it myself. I am certainly going to vote against the bill in principle. I do not believe the three-year mandatory suspension is anything but window dressing. I am very much concerned about establishing a second breathalyser standard, which may be confusing and in some respects unfair. I still believe the police should have reasonable and probable grounds to suspect that a law has been broken before they pull a citizen over and demand his identification.

Mr. Ruston: Mr. Speaker, I too am quite concerned about this bill before us today. I do not think many would object to the section about high-speed chases and refusal to stop on the direction of a police officer. However, sometimes when we see how things are administered—I speak to this as having had the opportunity for about 10 years, not in this particular part of the legal profession, to work in protecting the laws of the country; I had and I wore a badge—if we have worked in enforcing the laws, we have a different view of this.

I really hate to give this power to a person who must be judge and jury all at once. He must

stop you; he must then decide on your ability to drive; he gives you a breath test, and if you are up to 0.05 he says, "Okay, you leave your car here; you have to get home." I do not know if you are going to be 50 or 75 miles from home or when you are going to get your car—12 hours later? A tow truck is going to tow it away.

I think we have to have some rationality in enforcing laws. I do not think our country was really meant to be operated that way. I think the laws have to be written by the legislators and then we hire people to enforce the laws. But then we hire someone else to interpret them; that is what we have judges for. Now if we are going to put laws in and they are going to be interpreted by the person who is supposed to be checking them, I think we are going to lose the real effect of what our whole country is based on.

I have worked beside many people who wore a badge, and I actually was very offended—and I will say that it may be a small percentage of them—by the way I have seen people actually feel so strongly about a certain thing that they would use all their power to make it very difficult for people in certain circumstances.

Interjections.

The Acting Speaker: I will ask the members to stop the buzzing.

Mr. Ruston: Only five or 10 per cent of the people who are hired to enforce laws act this way, but I remember one person I worked with who tried to see how many seizures he could get, and he worked at it diligently for years. After three years, when the civil service set up ratings for its employees at that time, he thought he would be at the top of the list as being well qualified to get an advancement in his position, but he ended up on the bottom of the list. Then his whole attitude changed, and from then on everything that came along he let go; he did not enforce any laws. He had thought that the more convictions he could get, the better the job he was doing. Well, some of the convictions he got were not very reasonable.

I had a case just a few weeks ago in which a farm vehicle was moving down the highway at a slow pace. A farmer, who thought he was doing the proper thing, took his pickup truck and followed along behind with his lights flashing. An officer came along and charged him with travelling too close. I suggested to him that he should take it to court, but apparently he decided to pay the fine and accept it without

contesting it in court rather than hire a lawyer. I think that is a matter of judgement, and I think it is very poor judgement.

I cannot see how we can give the power to one person to decide to take a person off the road. If he is intoxicated, by all means take him off the road and send him home. Let him appear before a judge in a week or two weeks. The judge will say whether he is guilty or not and whether he will lose his licence for three months or six months or whatever we think it should be. That is fine, because, after all, the last thing we want on the highways is intoxicated people driving cars.

But I do not think we can or should give that power to the police. I do not think the police want that power. I think they will find after it has gone into effect—and it is going to be soon, from what I can gather from the other opposition party, which is supporting it except for one person—that it is bad legislation. I think it is bad legislation, and I for one cannot support that part of it at all.

12:50 p.m.

Mr. Riddell: Mr. Speaker, I was not going to speak on this, knowing time is a factor. We have a lot of work to do yet in this Legislature. But the Solicitor General saw fit to include my name in his interjections as being one of the members of the select committee on highway safety who signed the report. That is true; I did sign the report as a member of that committee which thoroughly looked into this whole matter of highway safety.

I know the combination of alcohol and driving constitutes the most serious problem in road safety. I think the member for Hamilton East pointed out that in Ontario in 1975, alcohol was involved in 12 per cent of property damage accidents, 19 per cent of all nonfatal injury accidents, 26.5 per cent of all fatal accidents and 51.8 per cent of all driver deaths in accidents. There is no other single factor involved in so many serious collisions. I want to point out some of the highlights of this report, in connection with highway safety as it is affected by impaired drivers.

I have come to the conclusion the Solicitor General has followed the example we have seen set by other ministers of the crown in this province. We can recall when one of the former Treasurers, John White, was driving back to his constituency in London and he had a dream. That dream was to form two more cities, similar to London. He immediately went out and

bought land down in Townsend, Nanticoke and Cayuga. He was going to establish two cities, all because of a dream.

Then we had the other Treasurer who was jogging around the park one day and he decided it would be a good idea to take the sales tax off 1981 cars and trucks. He came in the next day and that was what he announced he was going to do.

Now we have the Solicitor General who, I am sure, had a dream one night that he was going to stop the carnage on our highways and correct this problem. He came in the next day and made this announcement, without any deliberations as far as I can gather. I do not know if he based his decision on this report put out by the select committee on highway safety. If he did, he has overlooked some of the points that I think were made strongly in this report.

The committee recommended a three-pronged attack on the problem of drinking and driving. One was prevention, the second was management and the third was rehabilitation. The committee advocated two kinds of preventive approaches: providing more information to the public, and introducing new deterrents to teenage drinking and driving.

The words I want to stress are "teenage drinking and driving." The committee learned most of the fatalities or accidents that occurred on the highways were caused by teenage drivers and by teenage drivers who had been consuming alcohol. We spent a lot of time on that. Yet we are passing legislation that is affecting all drivers who have consumed alcohol, not just teenage drivers. The committee made recommendations as to how we could control some of the problems on our highways caused by teenagers, particularly teenagers who have been drinking. We made a recommendation which the government, I must say, adopted.

But on the matter of more information for the public, I think the member for Hamilton East covered that quite well. The strong recommendation made was that the government of Ontario instruct the Liquor Licence Board of Ontario to develop and apply new restrictive guidelines on advertising that promotes alcohol, to restrict further lifestyle advertising. I think if we were to follow this recommendation, it would be far more meaningful than coming in with this kind of legislation to give the police the authority to pull all drivers over to the curb and have them breathe into an ALERT machine to see if they are blowing 0.05.

I want to say something about those machines

and the accuracy of the equipment. A particular concern of the committee was the amount of alcohol in the blood that should constitute legal impairment. Currently it is illegal to operate a motor vehicle in Ontario if the concentration of alcohol in the bloodstream exceeds 80 milligrams per 100 millilitres of blood. This means that 80 milligrams is legal. The penalty is applied above 80 milligrams. Since testing equipment is calibrated in 10-milligram units, the illegal concentration is 90 milligrams or over.

In Ontario, the courts generally allow a 10 per cent leeway to compensate for any mechanical inadequacy in the testing equipment or error on the part of the technicians. In practice then, the level at which charges are laid is 100 milligrams of alcohol in 100 millilitres of blood. So what we see here is that there is an inaccuracy in the equipment itself. The police may pull somebody over, and if the machine shows he is blowing

0.05, it may well be that he only has 0.03 in his bloodstream. Yet we are prepared to take that person's licence away. We know a person with 0.03 is not impaired, or certainly far removed from being legally impaired. Legal impairment is 80 milligrams per 100 millilitres of blood.

There is another point I want to bring out.

Mr. Speaker: It may be appropriate at this time for the honourable member to move adjournment of the debate, unless you wish to make a very quick point.

Mr. Riddell: I will move adjournment of the debate, because there is a point I want to bring out and stress in this report, which I think the minister has overlooked.

On motion by Mr. Riddell, the debate was adjourned.

The House recessed at 1 p.m.

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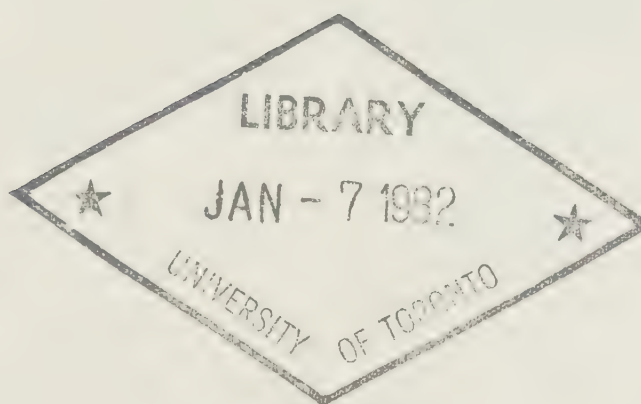
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Legislative assembly

Legislature of Ontario Debates *and proceedings*

Official Report (Hansard)



First Session, Thirty-Second Parliament

Thursday, December 10, 1981

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, December 10, 1981

The House resumed at 2:03 p.m.

Mr. Speaker: The Leader of the Opposition, on a point of privilege.

Mr. Smith: Yes, please, Mr. Speaker; you predicted well.

Hon. Mr. Welch: It's so regular.

Mr. Smith: It has become quite regular, I agree. It is a pity I have to do this so often.

WINTARIO GRANTS

Mr. Smith: Mr. Speaker, on the matter we dealt with in the House yesterday, concerning the statements made repeatedly and assurances given repeatedly by the Minister of Culture and Recreation (Mr. Baetz), statements which clearly did not stand up to scrutiny once the events described yesterday were examined, I would move, seconded by Mr. T. P. Reid, that the matter of the leaked information regarding Wintario capital grants to certain members of the Legislature stand referred to the standing committee on procedural affairs.

Mr. Speaker: Just a moment; hold it. It is my understanding that for a motion of this type, notice must be given prior to moving it.

Mr. Smith: On a point of order, Mr. Speaker: You will recall only a few years ago, when another Speaker was in the chair, that a matter pertaining to the member for Huron-Middlesex (Mr. Riddell), who had at that time been served with certain papers, was before us. The member for Brant-Oxford-Norfolk (Mr. Nixon) rose—the member for Riverdale (Mr. Renwick) had risen before him, but the member for Brant-Oxford-Norfolk was given the floor by the member for Riverdale—he rose and moved a motion that the matter be referred to the procedural affairs committee.

That was on April 6, 1978, and it is in Hansard on page 1239. The Speaker at that time accepted the motion even though other notice had not been given, and the matter was ordered to that committee. I would hope that would serve as a precedent for a matter of this kind, and that we could agree to the motion now. Failing that, Mr. Speaker, I will have to be guided by you, and if I am to give notice for tomorrow's session of the

House, then, of course, I will do so, but we did not have notice required on April 6, 1978.

Mr. Martel: Mr. Speaker, I read with interest your decision, as a result of my request to have this sent to procedural affairs yesterday, because it was at the invitation of the minister I made the suggestion. In fact, I was prepared to move the motion yesterday, but when the minister himself requested that it go to a third party, I thought it would be in the best interest of the House if you yourself sent it there. You have chosen, of course, not to do so.

The matter is up in the air, and where I quibble with your suggestion is that it will not resolve anything. A little debate in here for two and a half hours during the concurrences will not give an opportunity, as the minister himself requested, for witnesses to be called or to get to the bottom of this matter. I hope you will accept the ruling of your predecessor and allow this motion to be put at this time so that we can get on with the business of the House, and resolve the other matter in committee.

As I indicated yesterday, we cannot ask you to determine who is right or wrong, but certainly there has to be a way of getting out of this. It is certainly not the first time we have experienced this difficulty, and it always falls back on the Speaker. I would like to take it out of the your hands, because it is unfair to you.

I would hope you would accept the motion.

Hon. Mr. Wells: Mr. Speaker, on this particular motion, I think I would have to hold to the position that, as the standing orders provide, this is a substantive motion and it should be moved and seconded, and appear on the Notice Paper, notice having been given in writing as is required by the standing orders.

I wish I had the very words that you used this morning, but I recall that you made a statement on this particular matter. I am wondering if the member has read your statement this morning to the House about this particular matter. I think you indicated what you felt about it. I think this is not a matter for the procedural affairs committee; it is a matter for discussion in the estimates of a minister.

It is perfectly legitimate for this House to take exception to the way a minister carries on his

duties, and to register those disagreements in any particular manner possible, but I do not think it is a matter for discussion by the procedural affairs committee. They do not govern the rules by which a minister carries out the functions of his ministry.

I am not arguing on the merits or demerits of how any minister carries out the functions of his ministry. It is perfectly legitimate for members to criticize, and it is legitimate for us to defend. I think that was the gist of what the Speaker was saying to us this morning. I certainly do not feel this motion, at this particular time, can be put; certainly not without notice having been given.

2:10 p.m.

Mr. MacDonald: Mr. Speaker, before we—

Mr. Speaker: Order, please. I think the point has been well made. I have heard representations from all parties. I would like to make a few brief comments, if I may, and I thank the Leader of the Opposition and the member for Sudbury East for drawing this matter to my attention.

With all respect, I would point out to you the precedent you cited was a clear *prima facie* case of privilege and, therefore, did not require the notice I spoke of earlier. I had found in the case we were discussing yesterday that it was not a *prima facie* case of privilege or abuse of privilege for any one member or, indeed, all members, but rather was a criticism of a program or how an individual program was being administered.

Mr. Smith: It has to do with the—

Mr. Speaker: Just a minute. Order. I did read a statement this morning and made a decision on this matter and, therefore, I have no alternative but not to accept the motion.

Mr. Smith: By way of understanding what your decision portends, do I understand, Mr. Speaker, that you wish me to give notice of this motion and then I can present it? Will you accept as notice the fact that I tell you now I intend to present the motion and then I can present it tomorrow? Will that be acceptable to you?

Hon. Mr. Wells: We will debate it in private members' hour.

Mr. Smith: Oh, no. The government House leader is now trying to say we will debate this in private members' hour. In fact, the previous Speaker accepted here, not in private members' hour, a motion to send the matter of the member for Huron-Middlesex to the procedural affairs committee.

It is all very well to speak of what is or is not a *prima facie* case. It is not just the Speaker's opinion of what is a *prima facie* case that counts, but what the members of this House believe. The Speaker accepted that such a motion could be presented. Precedent is very clear in this regard in 1978, and I now give you notice, Mr. Speaker, that I intend tomorrow to present a seconded motion in writing, just as this one has been, in order to have the matter of the apparent untruths told repeatedly to this House by the Minister of Culture and Recreation investigated by the procedural affairs committee.

Mr. Speaker: As I said earlier, and I would point out to the Leader of the Opposition again, the precedent you cited involved a *prima facie* case of privilege. This did not.

Mr. Smith: In whose opinion?

Mr. Speaker: In the opinion of the House.
Interjections.

Mr. Speaker: Order. I would suggest to you that notice of motion must be made. The matter quite properly would be debated on a Thursday afternoon.

Mr. Smith: Nonsense. That is absolute nonsense. You are just protecting them again.

[Later.]

Hon. Mr. Wells: Mr. Speaker, it occurs to me that I heard, although it was not made in a formal statement or speech, some remark that the Leader of the Opposition was not going to take Rod Lewis's opinion of what was a *prima facie* case of abuse of the privileges of a member. I do not think that is a very fair remark to be made, and I think it should be withdrawn or at least commented upon. The opinion was offered by Mr. Speaker himself. What advice he takes unto himself is his right and I do not think members should be critical of the table staff of this House, who cannot respond in this House.

Mr. Speaker: I thank the minister for drawing that to my attention. I did not hear it, and I would ask, if indeed the remark was made, that it be withdrawn because I think it is completely unfair and unjustified to offer criticisms of those who cannot defend themselves.

Mr. Smith: Mr. Speaker, if you will check the record I am sure you will find that you said it was a *prima facie* case in the matter of the member for Huron-Middlesex (Mr. Riddell) and it is not in this case, with the statements of the Minister

of Culture and Recreation day after day. You said his was *prima facie*, this one is not.

I said immediately, "In whose opinion was that one a *prima facie* case?" You did not answer at that point, and I called out and said, "Well, I am sure it is not your opinion. Why should you take Rod Lewis's opinion as opposed to anybody else's opinion?"

I think that is a reasonable statement. I am not criticizing his opinion. I am asking why you should take his opinion on the matter, which may be very genuine and may even be correct, rather than anybody else's opinion. As far as I am concerned, the Minister of Culture and Recreation's behaviour is a *prima facie* case as well.

Interjections.

Mr. Speaker: Order. I would suggest to you, with all respect, that I have many sources of advice, as you can see. If indeed you did make that remark I ask you in all good conscience to please withdraw it.

Mr. Smith: Withdraw what?

Mr. Speaker: Your reference to the table. I think it is unfair.

Mr. Smith: I think whatever advice you got on that matter happens to be wrong. I will withdraw any reference to the table; perhaps you got the advice elsewhere.

Mr. Speaker: Order. It is a matter of opinion.

QUEEN STREET MENTAL HEALTH CENTRE

Mr. McClellan: On a point of order, Mr. Speaker: You will recall, sir, that yesterday I asked the Minister of Health (Mr. Timbrell) a question with respect to the death of Pat Ellerton at the Queen Street Mental Health Centre. The minister indicated, rather improbably, that he was not familiar with the case but that he would obtain the information. I would like to ask you, sir, whether you have been advised whether the Minister of Health intends to come, whether he intends to make a statement or to answer during oral questions.

Mr. Speaker: No, I have not.

STATEMENT BY THE MINISTRY

RECORD-KEEPING REQUIREMENTS

Hon. Mr. McCague: Mr. Speaker, I made a mistake at lunch today. I said that good news never makes the press. Maybe it will not, but at least it brought the attention of my colleagues

on this side of the House, and I hope it will bring the attention of all members of the House.

I am pleased to announce and table with the clerk of the House today, a new publication of the Management Board of Cabinet. This publication, *A Guide to the Government's Statutory and Regulatory Records Retention Requirements Concerning Organizations and Businesses*, will contribute to a reduction of the burden of record keeping.

This government has a commitment through the regulatory reform program to reduce and simplify the record-keeping requirements imposed by government on the private sector. I believe the amendments and changes we have made will directly contribute to a reduction in record keeping in the private sector which translates into tangible savings and benefits for a substantial number of organizations.

During the past year, ministries have reviewed their statutory and regulatory record-keeping requirements. Their goal has been to modify or eliminate these requirements wherever possible so they are consistent with exemplary management practices. To assist in this review and to ensure that our efforts are responsive to the needs of both the government and the private sector, we have received the full cooperation of organizations including the Canadian Manufacturers' Association, the Financial Executives Institute Canada, the Canadian Federation of Independent Business and the Association of Records Managers and Administrators. I wish to thank these organizations, representatives of which are in the gallery today, for their substantial time and effort. They have assisted us because of the beneficial impact these initiatives have for the business practices of their corporate and business community.

Previously, under a number of tax statutes, corporations and businesses were required to write on an annual basis for permission to destroy outdated records. As the members will appreciate, this requirement was a direct operating cost to these approximately 400,000 businesses. Under new directions announced as part of this project, these records may be destroyed after six years unless the company is notified otherwise. We have also been able to provide a single retention requirement where, in the past, various ministries had conflicting requirements that led to confusion or unnecessary burdens for information maintenance.

We will continue with the project, which assures a more efficient and straightforward working relationship among government, the

business community and the public. Mr. Speaker, this is the first of its kind in Canada.

2:20 p.m.

ORAL QUESTIONS

HYDRO EXPORTS

Mr. Smith: Mr. Speaker, I have a question for the Minister of Energy. I have here a letter signed by Philip Andrewes, parliamentary assistant to the minister—

[Applause]

Mr. Smith: I was as surprised as the members opposite that he could sign his name. I did not think the news would shock them to that extent.

Interjections.

Mr. Smith: I simply say I have a letter from him and they all become joyously into raptures for some reason. Are they so surprised he can write a letter?

Mr. Speaker: Ask the question please.

Interjections.

Mr. Smith: Mr. Speaker, I know you like to control both sides of the House.

Mr. Speaker: Order. The Leader of the Opposition has the floor.

Mr. Smith: Mr. Speaker, I have here a letter from Philip Andrewes, parliamentary assistant to the Minister of Energy, on the minister's letterhead, in which he says: "While there is much concern for increased acid rain emission, all alternatives must be weighed in what appears to be new policy of dedicated firm sale of electrical power for export."

Would the minister explain to us when this new policy of dedicated firm sale of electrical power for export was adopted? The minister, for instance, in April 1978, said clearly, "Our policy not to build generating capacity solely for export markets has not changed."

Can the minister explain when the policy did change, and is it now in fact the policy of the government to dedicate electrical generating capacity solely for export purposes?

Hon. Mr. Welch: Mr. Speaker, I think there is some misunderstanding by way of interpretation of the letter. It is one thing to talk about the building of generating capacity dedicated for the sole purpose of export and indeed carrying out what has been government policy for some time, looking for opportunities to expand the already announced export policy of the government. I think it is just simply the use of the word "dedicated" perhaps as meaning reliable or uninterrupted.

Mr. Smith: Since I am sure the minister's parliamentary assistant knows the word "firm" and is aware that there is a difference between the word "firm" and the word "dedicated," I would doubt very much that is the explanation.

I would ask particularly from the minister why he said on May 22, 1980: "There is no change in policy. This government is not contemplating the construction of another nuclear generating station exclusively dedicated for export," and yet, a few days ago in San Francisco, this minister also stated, "To stimulate the nuclear industry, there is an idea which the Canadian and American governments should consider and that is the possibility of building nuclear generating plants in Canada to export power to the United States."

Will the minister now admit that in fact the government's policy is shifting in this regard, that the building of the Darlington nuclear station is probably going to be justified only if it becomes, in the minister's mind, a dedicated station for export, and why does the minister not come clean in this regard and tell us exactly what the policy is going to be with regard to the dedication of nuclear stations for the purpose of exporting electricity?

Hon. Mr. Welch: The answer to the first part of that question is no, and the answer to the second part of that question is the policy remains the same at the moment.

Mr. MacDonald: Mr. Speaker, the minister will recall that a year ago his then parliamentary assistant flew a kite saying that we should have plants dedicated for export to the United States. The minister at that time dissociated himself from that statement. Yet, a year later, this past fall, he, too, made a speech in which he was flying kites and at that point congratulated his previous parliamentary assistant for being foresighted in looking down the road and seeing this.

What is the government's position, because the minister has got his present parliamentary assistant confused. He is very confused and I do not blame him. What he says is, "All alternatives must be weighed in what appears to be the new policy of dedicated firm sale." He does not know, it just appears to be that; and he is not distinguishing between new plants or existing plants.

What is the policy, so that his parliamentary assistant will not be confused any longer?

Hon. Mr. Welch: Mr. Speaker, my parliamentary assistant is not confused at all. In fact,

knowing something about the constituency which he represents, a constituency which I had the privilege of representing, the people of that constituency made a wise choice indeed. I want the member to realize that, number one.

Number two, the honourable member will recall, and I am sure his memory is excellent, that all I did following the speech from my former parliamentary assistant was remind members of the House, in response to questions, that that was not yet government policy, and there is no change.

Mr. Wildman: On a point of order, Mr. Speaker: Would the Speaker consider asking the Minister of Energy to redirect that previous question from my colleague to the Minister of Revenue for response? That would be interesting.

Mr. Speaker: No. The question has been asked.

Mr. Smith: Mr. Speaker, since it is perfectly evident the parliamentary assistant believes that a policy of dedicated plants for export is being adopted, and since it is perfectly obvious that the minister himself suggested exactly the same thing in San Francisco on November 30, will the minister at the very least assure us that part of this government policy to export clean electricity to the United States from our nuclear plants will be that whatever electricity is sent down there they have to take the corresponding amount of nuclear waste and dispose of it there, rather than here?

Will he at least guarantee that if we are going to dedicate nuclear plants for power export to the United States, they do not get the power unless they also take the waste?

Hon. Mr. Welch: Mr. Speaker, if the honourable member would read the letter he is making reference to, he will not find the degree of definiteness with respect to government policy. Secondly, there is no statement of government policy on that matter now. We have been speculating as to what the possibilities of that may be. In due course, if there is a change in government policy, we would indicate that in the proper forum.

Mr. Kerrio: You know you are sending jobs with it; the jobs go with it.

Mr. Smith: The jobs go and the garbage stays.

Mr. Speaker: Order.

RAPID TRANSIT POLICIES

Mr. Smith: Mr. Speaker, I have a question of

the Treasurer. The Treasurer may be aware that the Minister of Transportation and Communications (Mr. Snow) said here in the House, and also to the people of Hamilton, that Toronto and Hamilton will get the help they may require for transit problems, provided that when they analyse the problem they accept the intermediate capacity transit system as the solution. But the minister will be aware that the right solution might well be different, as might be shown by independent studies in both cases.

Will the Treasurer undertake to give the same money for what might be the right solution, rather than saying unless we accept what might be the wrong solution, the ICTS, the money will not be available?

Hon. F. S. Miller: Mr. Speaker, first, I have great confidence in my colleague the Minister of Transportation and Communications to come up with the right decision. If he tells me at that time it is ICTS, I am sure the honourable member will agree it should be. Past that, I do not wish to speculate, because part of the funding might be Board of Industrial Leadership and Development oriented money, and BILD-oriented money was aimed to some degree to supporting the technology of the Urban Transportation Development Corporation.

Mr. Smith: Mr. Speaker, we can well understand that the BILD program, in its desire to create jobs, has determined that it might be a good idea, from their point of view, to support UTDC. Would the minister not agree that it would be folly to spend money if the UTDC answer happens to be the wrong answer to the transit problems of Toronto and Hamilton? Rather than simply give up the possibility of creating any jobs, would it not make more sense to accept the right answers in those cities, and produce other forms of transit vehicles in Ontario, using Ontario workers, and genuinely meet the independently determined need for transit in Toronto and Hamilton?

2:30 p.m.

Hon. F. S. Miller: Again, Mr. Speaker, I would say the history of the Ministry of Transportation and Communications has been to find the best mode for a particular problem. I assume it will continue with that. I do not feel it is out to use the intermediate capacity transit system or any other variation, as a rule, as an automatic answer. Of course, we are anxious to see examples of this type of technology functioning in Ontario. I hope the member will

encourage that because people do like to see working models in daily use under the kinds of weather conditions we face and it gives them more credibility while selling that excellent technology abroad.

Mr. Cassidy: Mr. Speaker, if the studies in downtown Toronto or in Hamilton indicate that other technology than ICTS is appropriate for those particular requirements, will the government undertake to finance that technology on the same basis as it is offering to finance projects such as the ICTS?

Hon. F. S. Miller: Mr. Speaker, I try to differentiate in terms of whether it is Board of Industrial Leadership and Development money or general government money. I would argue if it is BILD money we may have a specific reason for seeing high technology or modern technology in place, in addition to the normal funds allocated to a ministry. If it were another solution, it may be possible it would have to be found within the priorities and allocations to the ministry.

Mr. Smith: Mr Speaker, I ask the Treasurer to reflect for a moment on how this sounds to the citizens of Toronto and Hamilton, who I am sure would be quite willing to use the high technology the minister favours if that happened to be the best solution, or even close to the best solution. But in the instance where an independent study indicates that drastically different solutions are required, why will the Treasurer then turn to these people and say, "Tough luck, if high tech is not what you need, you get nothing"?

Does the Treasurer not realize the unfairness in that position? Would he not accept that most people would be happy to have the high tech if it were appropriate, but if inappropriate still need some help from the province and resent the idea they have to accept his newfangled Urban Transportation Development Corporation or get nothing at all?

Hon. F. S. Miller: I do not think the member heard me say that at all. I would think he might point out that across the province we have been well recognized as being very progressive when it comes to mass transit and assistance to mass transit. Certainly, again, in the BILD document, we emphasize electrically powered transit and through the ministry have increased the subsidy on electrically powered transit simply as part of our overall energy replacement policy. That is a very potent way of assisting the decision.

EMPLOYEE HEALTH AND SAFETY

Mr. Cassidy: Mr. Speaker, I have a question for the Minister of Labour about occupational health and about the deaths in work places that continue to take place in Ontario. Is the minister aware of the fact that last year the Workmen's Compensation Board recorded 272 deaths of workers in Ontario as a result of industrial accidents or as a result of occupational disease?

With one worker dying for every working day in the province last year, can the minister explain why his own ministry was aware of only 101 deaths on the job or due to occupational disease? How can we expect the Minister of Labour to undertake cures to occupational health problems in the province when he is aware of only two fifths of the deaths that have taken place among workers in the province?

Hon. Mr. Elgie: Mr. Speaker, the member for Sudbury East (Mr. Martel) raised this issue of the statistics yesterday in estimates and we will be responding in detail. But the preliminary information I have is that it is not a matter of anybody overlooking anything, but the kind of information about areas that may not be covered under the Occupational Health and Safety Act but are covered under the Workmen's Compensation Act.

I will have to get the details of that for the member for Sudbury East and this member, if he wishes, when we review the matter in committee. But let us not try to leave any impression that anybody is trying to hide anything. This is public information the member is talking to me about and I am endeavouring to respond to him about. It is not a matter of anybody trying to deceive anybody.

I have to tell the member, whether he believes it or not, through the internal responsibility system that arose out of the Ham report—and I will pay tribute to the trade union movement, particularly in Elliot Lake, for playing a great role in generating that report—we are trying through that process, as well as through the role of inspectors, to improve health and safety in this province for workers.

We would all like to live in a world of perfection today. But that is not the way the world goes. I wish there were no car accidents today. I wish every day as a physician that some patients would not die. But we all have to accept that. We all have to do our best and that is what we are endeavouring to do. I believe the statistics we have show, year on year, particu-

larly since the introduction of new measures following the Occupational Health and Safety Act, that there has been some improvement in the construction industry segment. I am told by Mr. Melinyshyn in that sector that there has been a particularly marked improvement.

Last year we were very disturbed about the rate of fatalities in the mining industry. Mr. Burkett, along with representatives of management and labour, carried out an inquiry into that. We are meeting with the people in January to review the results of those studies and responses to them.

There is no lack of interest and no attempt to hide things in statistics. Those are open figures and I am told there are valid explanations for the difference between the two figures. I would be glad to provide those to the member for Sudbury East when we meet in committee.

Mr. Cassidy: Mr. Speaker, in 1978, the minister assured the House that as a result of the incident with the foundry workers in Hamilton, the entire communication system between the board and his ministry would be reviewed to ensure there would be no recurrence of this unacceptable course of events. In April 1980, the minister also told this House there would be no recurrence of the failure of the Workmen's Compensation Board to inform the occupational health branch.

What kind of incompetence is there when now, two years after Bill 70 came into force in Ontario, the occupational health people in the Ministry of Labour could be unaware of 170 deaths occurring last year among workers affected by industrial accidents or industrial disease? What kind of ministry is it that says some workers were not covered under the Occupational Health and Safety Act and therefore their problems are of no interest to the ministry and that is why it ignores them? What the devil is going on in that ministry? When will the minister start to look after the health of all workers in all work places in Ontario?

Hon. Mr. Elgie: Mr. Speaker, I realize there is a great need to be provocative in this House. The honourable member knows full well that in the occupational health and safety legislation of this province we have achieved, with a great degree of co-operation from all parties, something that is exemplary for others. Yesterday, the member for Sudbury East was exhorting me to encourage the federal government to change its legislation to come into line with ours.

That does not mean the world is perfect. I know the member would like it that way, but he

had a little problem achieving perfection within his own caucus. Nevertheless, we are going to endeavour to do the best that is humanly possible to achieve health and safety at its maximum in this province, and that is what we are trying to do.

There is no discrepancy. I have told the member there is a difference in the range of matters that are collected by occupational health and safety as opposed to the WCB. The exact details of that are being prepared so they can be given to the member for Sudbury East. There is no attempt to hide anything and he knows that.

Ms. Copps: Mr. Speaker, in future, will the minister ensure that the statistics regarding occupational health and industrial disease are combined so that we can have a true picture of the state of industrial health, or lack of it, of the workers of the province?

Hon. Mr. Elgie: Mr. Speaker, it is a strange habit to get into. I think one should find out if there is any deficiency in the system now, and my information is that there is not.

Mr. Martel: Mr. Speaker, if the minister is so sure Bill 70 and the internal system are working, can he tell me why he is prepared to accept that there were 95,000 orders issued under Bill 70 in the industrial sector and his staff had to repeat those orders in 10 per cent of the cases? Should it not be the ministry's responsibility that once a company has had an opportunity to improve a condition by way of notice, the ministry should not have to go back to give a second notice of the contravention and the order to improve? Should he not be laying a charge against the company if it fails to accept the first notice for improvement?

Hon. Mr. Elgie: Mr. Speaker, I think the honourable member will not disagree with me when I say that one always has to look at each situation in its own circumstances. To say that charges should have been laid whenever there was a repeat order is pretty casual. I think one always has to look at all the facts of any situation. It is worth trying.

2:40 p.m.

WINTER WORKS PROGRAM

Mr. Cassidy: I have a question for the Treasurer, in the absence of the Premier (Mr. Davis). Can the Treasurer say what specific measures the government has in mind in order to create jobs in northern Ontario this winter, particularly in view of the large and widespread

layoffs and shutdowns that have taken place in the lumber and sawmill industry across northern Ontario over the course of the last few months?

Whether one talks about Alban, White River, Tweed or Atikokan, every community of any major size in northern Ontario now has layoffs in the sawmill industry. When we talked to a number of companies, we found that 21 of 29 sawmills and lumber companies have had to lay off or shut down. Will the minister bring in a winter works program to restore some of those jobs and get those workers back on the job in northern Ontario?

Hon. F. S. Miller: Mr. Speaker, the honourable member asked me questions very much like that yesterday in my estimates debate. In fact he placed a series of them, as I recall.

I have expressed the concern we all have about the slump in the lumber side of the forest industry. The paper and pulp side is still reasonably buoyant, as I understand. The great percentage of lumber produced in northern Ontario, particularly at independent mills, goes to the United States. I am sure the member knows that, and he knows the American housing market is in something of a slump. Then, of course, our lumber market is too.

There is no way of basically improving the sale of lumber. It is more related, as the member knows, to interest rates in the United States and Canada than any other single factor. I would suggest to him that while we certainly have sectoral problems, I also pointed out to him yesterday that we had a net increase in the number of people at work in Ontario during the month of November.

Mr. Cassidy: That does not do much good for the people in Chapleau who have been laid off, who have no—

Mr. Speaker: Order. That was the final supplementary. A new question.

Mr. Cassidy: That was only the original of my second question, Mr. Speaker.

Mr. Speaker: I am sorry. New question.

Mr. Cassidy: No, not a new question. That was the first of the—

Mr. Speaker: Supplementary then.

Mr. Cassidy: First supplementary, Mr. Speaker, to the minister: How does his Pollyannaish approach to what is happening in southern Ontario help workers in Chapleau when they are 120 miles from any other major community where jobs can be found? How does that help

workers being laid off in Dubreuilville when they are also a long distance away from any communities where other work can be found? How does it help workers in Hearst where Gosselin, Newaygo, Lévesque Lumber and the Lecours have all had layoffs over the course of the last few months?

In view of the fact that housing starts this year will be at the lowest level for 25 years, will the minister now be prepared to undertake a housing program in southern Ontario, which would get construction workers back to work in southern Ontario and improve the demand for lumber so that sawmill workers can get back to work in the north?

Hon. F. S. Miller: Mr. Speaker, my colleague the Minister of Municipal Affairs and Housing (Mr. Bennett) in particular has been assisting the start of rental housing through his program. He would be able to give the honourable member exact statistics.

However, my friend must remember that he was as vocal as anyone when a number of people who were able to buy houses through one of the many provincial-federal programs, which virtually allowed them to have houses with no down payments, got into financial trouble this year. He keeps blaming us for letting people buy houses, and now he is telling me to make it easier for people to buy houses. I think he has to be consistent in that approach. One of the worst things one can do is lever anybody into any long-term payment that his present budget does not permit.

Through the program, we are working on rental housing. It is very discouraging trying to encourage rental housing at the provincial level—and the member must admit there is a need for it—while at the same time the federal government removes major tax incentives that assisted investors who created rental housing.

Mr. J. A. Reed: Supplementary, Mr. Speaker: Surely the Treasurer is aware that in northern Ontario, and more particularly the town of Hearst, the one industry that is still very active and vital in that town is an energy industry. Surely the Treasurer knows the potential for energy investment in northern Ontario is enormous across the whole area. How can he continue to support the purchase of Suncor when the need for investment is so acute right here in Ontario?

Hon. Mr. Ashe: Is this a supplementary?

Hon. F. S. Miller: That is an extrapolation of a supplementary, Mr. Speaker. But surely the

honourable member knows that energy industry, which as I recall was the creation of sawdust pellets, depends to a large degree upon waste product from milling wood. That is what it started out to be.

Mr. J. A. Reed: It does not. You had better go there and have a look.

Hon. F. S. Miller: I will be glad to go there. I have been there a number of times to help them open hospitals. I helped through the employment development fund to create that industry.

Mr. Laughren: Supplementary, Mr. Speaker: There have been vague hints about the Treasurer undertaking silvicultural operations in northern Ontario. Will he be undertaking such operations to create employment this winter in northern Ontario? Does the minister understand fully how serious a layoff is in these relatively small communities in northern Ontario? It is extremely serious and so far the minister has responded with the back of the hand to those communities. Will he make a commitment here and now to provide funds for silvicultural and other winter works programs in small communities in northern Ontario?

Hon. F. S. Miller: I have not replied with the back of my hand. I do recognize the gravity of the problem. I have in no way tried to minimize the effect, as it always has been, in resource-related industries in the north during the bad down cycles. We have gone through this in this House a number of times.

The honourable member refers to "vague hints." Those would be discussions yesterday in my estimates debate when I went on at length about my dedication to, interest in and support for silvicultural operations, particularly in the Great Lakes-St. Lawrence forest.

Mr. Laughren: What about the boreal forest?

Hon. F. S. Miller: I do not think the boreal forest lends itself as well in winter time to the type of operation I am talking about in the Great Lakes-St. Lawrence region. Does the member not agree?

Mr. Foulds: Keep going; you are answering.

Hon. F. S. Miller: The member is interrupting.

I realize the candidate for the leadership, the member for Port Arthur (Mr. Foulds)—is he a leadership candidate?—does support and does understand very well the forestry industry. I know that because he was my critic, and he has always been a very—

Mr. Stokes: Do what you would have done if you were still the Minister of Natural Resources. You were on the right track then. What happened?

The Acting Speaker (Mr. Cousens): The Treasurer has the floor.

Hon. F. S. Miller: As the interjector well knows, I must ignore interjections.

The Acting Speaker: Please answer the question. The Treasurer has the floor.

Hon. F. S. Miller: In any case, I never would say "never." But we have to recognize the federal government has a good deal of primary responsibility and we will be working with it on that.

ASSISTANCE TO FARMERS

Mr. Boudria: I have a question for the Minister of Agriculture and Food. On Wednesday, we witnessed a sad situation where farmers were forced to block Highway 417 at St. Isidore de Prescott, near Ottawa, to demonstrate the financial crisis that farmers are facing and the government's inaction in this matter. Is the minister aware that of 142 hog producers in my area three years ago, only 25 remain and 20 of these are now producing under contract only? Why does the minister refuse to act on this matter? Does he not realize this inaction is leading to the total disintegration of our agricultural industry?

Hon. Mr. Henderson: The member asks why do I not act. What is he referring to my acting on? The government of Canada had a hog stabilization program to make payments. I expect it will be making payments next year for the six-month period from October 1 to March 31. We paid out on the basis of \$53 per sow. I do not see that any question has been asked.

2:50 p.m.

Mr. Riddell: Supplementary, Mr. Speaker: The minister is aware of the demonstration that took place in Owen Sound not too long ago. He has now been made aware of the demonstration that took place near Ottawa. I will advise him of a demonstration that is taking place in western Ontario tomorrow morning; we will have more to say about it then. Is the minister not aware that the only thing the farmers of this province have to look forward to next year, according to the latest federal statistics, is a drop in net income of between 20 per cent and 29 per cent, which will follow a drop this year of 29.5 per cent?

Is he waiting until most of our farmers go

bankrupt so that he will not have to render any assistance, or is he going to announce a program before the close of this session, in keeping with the promise the Treasurer (Mr. F. S. Miller) made to the farmers at the Ontario Federation of Agriculture convention that some kind of announcement would be made regarding interest relief for the farmers? Is he going to help the Treasurer keep that promise by announcing a program to assist our farmers before any more go bankrupt?

Hon. Mr. Henderson: Mr. Speaker, the honourable member seems to forget. He has a very, very short memory; no wonder he is over there. He forgets the \$59 million I have announced in this House in the last two months for beef cattle; he forgets the \$7 million we put into hog stabilization; he forgets that I announced in this House a week ago Tuesday a committee to look at the Biggs report. He forgets all of those things. He knows the answers as well as any of us do.

Mr. Boudria: Supplementary, Mr. Speaker: Is the minister not aware, on his first reply to me, that whatever help he is giving now is not sufficient, if we are losing all our farmers and we have only one out of every five of them left? Is he not aware that whatever he is doing is not sufficient? Would he not consider increasing that help to keep the agriculture industry, which is so important to this province?

Hon. Mr. Henderson: Mr. Speaker, I think I am as well aware of the farmers' problems as all of those members over there, the whole works of them. They have not come up with any reasonable solution. They could go to their federal brethren in Ottawa; they could have suggested to them that they come out with a farm credit loan to help the situation.

Again, a week ago Tuesday I announced a committee that is looking at it and is meeting daily this week.

SHUNIAH TOWNSHIP INVESTIGATION

Mr. Foulds: Mr. Speaker, I would like to ask a question of the Minister of Municipal Affairs and Housing. Will the minister indicate to the House the terms of reference of the present investigation into the affairs of the township of Shuniah, which was requested by 500 ratepayers, and will he assure the House that the investigation into the matter there will be a thorough one?

Hon. Mr. Bennett: Yes, Mr. Speaker, we will very clearly indicate the terms of reference. As

you know, I have had correspondence from the petitioners in the township, and I believe that in recent days the reeve has also requested some information on exactly what the petitioners were asking for and making reference to. I believe I sent a copy of my correspondence to the honourable member. If not, it has gone out only in the last day or so, and we will make sure that the member receives a copy of our replies to the petitioners in relation to that township.

Mr. Foulds: Can the minister indicate why at the present time it appears that the investigation will not be completed until March? Will he assure the House that if, and I underline the word "if," any wrongdoing is found to have occurred, his ministry will notify the appropriate legal officials and authorities so that appropriate steps can be taken?

Hon. Mr. Bennett: First of all, Mr. Speaker, in relation to the time period, when we are asked to review a situation, the ministry staff goes immediately to meet with petitioners—indeed, with members of council—to try to determine all the facts before it arrives at a decision. In some cases it takes a fair amount of time to bring together those individuals who have a point of view on the subject.

The time frame, I understand, is affected by the effort to meet with those people, and some of them are not available to us at this very moment. The report will come. I say this very clearly to the House: whether it be in this township or any other, and we have had several, we are trying to get it disposed of as quickly as possible. If there happens to be, and underline the word "if," something wrong in relation to a conflict of interest or in some of the other acts relating to a municipality, we will immediately indicate what the legal process will be or whether we will go with a further investigation of the entire subject.

At the same time, if we do not find anything that appears to be illegal in the operation but there still appears to be some difference of opinion, we will try to give advice to the petitioners about what their next course of action might be through a court of law.

TILBURY FARMERS' CO-OPERATIVE

Mr. Ruston: Mr. Speaker, I have a question for the Minister of Agriculture and Food which has to do with the Tilbury Farmers' Co-operative. The member for Kent-Elgin (Mr. McGuigan) brought it to the minister's attention in the estimates. Is the minister aware of the severe losses that farmers in the Tilbury area are

faced with due to the Tilbury Farmers' Co-operative going into receivership and its handling of the stored grain under the Grain Elevator Storage Act?

Hon. Mr. Henderson: Mr. Speaker, last March a certain important event happened as far as the future of the province is concerned. During that time I met with the directors of the Tilbury Farmers' Co-operative in their office in Tilbury. At that time, the United Co-operatives of Ontario was ready to put up \$300,000 as a first mortgage on this company, provided the farmers of the area put up a similar amount. I believe the farmers of the area did have a similar amount. In the same breath, they asked Ontario and the government of Canada to put up \$300,000. We answered that if the government of Canada would put up its \$300,000, Ontario would look at the possibility of a \$300,000, five-year, interest-free loan. So, automatically, the government of Canada did not put up the five-year, \$300,000 loan.

At that time I was under the impression that the grain was there. Maybe the honourable member has contrary evidence; I do not. As far as I know the grain was there in storage. If the member does have contrary evidence, we would be glad to hear of it.

Mr. Ruston: The minister is a little off as to some of the equipment. A part of the co-op has been sold. I am asking the minister if he is prepared to take some action to assist farmers who have lost two thirds of their 1980 crop which was in storage. Is the minister going to do something to reinforce the Grain Elevator Storage Act so he will have some authority to go in there and do something, rather than leave it in the courts for five years so that no one will know what he is going to get? The lawyers will probably get most of it.

Hon. Mr. Henderson: I have not been made aware there is a problem. I know the member for Kent-Elgin brought it up during the estimates, but no one has got back to me until now. The member is the first one to do so since the estimates. I have not had any information since the member for Kent-Elgin and I talked about it in estimates, but the information I have been fed is that the grain was in storage and everything was in order, other than the \$1.2 million that the co-op was short overall.

Mr. McGuigan: Supplementary, Mr. Speaker: I would like to tell the minister that I pointed out there are weaknesses in the Grain Elevator Storage Act which led to this. The minister

concluded, if I can refer to Hansard: "My staff is listening to your recommendations. They respect them and they will be studied." We are now asking if the minister has studied them. Has he any solution to beef up the grain storage act or the Farm Products Payments Act so this situation is not repeated?

Hon. Mr. Henderson: Mr. Speaker, the member for Kent-Elgin and I had a lengthy debate about this during the estimates. He pointed out areas where he felt there were weaknesses in the Grain Elevator Storage Act. Yet the direct evidence that the honourable member must have that there is a deficiency there and that there is deficiency in the grain that was stored in this elevator has not been brought to my attention. I would be very glad to have any evidence they have. We want to look at it if there is a further problem.

3 p.m.

Let me say to the member for Kent-Elgin that my legal people are looking at the comments he brought out in the estimates. No decisions have been made as yet.

Mr. McGuigan: I have no direct evidence of missing grain, if that is what the minister is trying to imply.

NIAGARA ESCARPMENT COMMISSION

Mr. Swart: Mr. Speaker, my question is to the Premier. On September 10, the Premier signed an order in council that reappointed nine public members at large to the Niagara Escarpment Commission. He broke the tradition, which was that all appointments are for a two-year period, and appointed four of them for a one-year term.

Because the four people whose appointments are terminated at the end of next August are those who have fought the hardest for a meaningful plan to really preserve the escarpment and oppose its massive development, is the Premier not aware the commission will be considering the report of the hearing officer and making its final recommendations to the government next fall, just after the members' appointments are terminated and they will no longer be there?

Why would he have signed that kind of order in council unless he was deliberately trying to weaken the preservation aspects of the escarpment plan and replace it with a pro-development bias by new Tory appointments?

Hon. Mr. Davis: Mr. Speaker, I must tell the honourable member, in spite of his suggestions, that when the order in council was signed, I

could not tell him (a) what they were for, (b) who was in favour or opposed, or (c) who was pro development or not. I don't know them at all. I know some of them; I know the chairman quite well—a great Ontario citizen, a resident of the great town of Caledon, if memory serves me correctly.

I assure the member that was not the rationale. I have to go back in memory, but I think the rationale was that we are in the process of staggering the terms of the appointees so there is some measure of continuity, which I think is exactly what the member is suggesting we have.

I will review them and assure the member the motivation he is suggesting just does not exist. I don't even know who the four are he is referring to. I don't know them at all.

Mr. Swart: May I inform the Premier that the reason given by the Provincial Secretary for Resources Development (Mr. Ramsay) was that they were going to stagger the terms, and that they now have a sunset provision to remove those who have been there a long time.

If that is the reason, how does the Premier explain that the term of Maryon Brechin, past president of the Consumers' Association of Canada and a member of the Order of Canada, has been terminated when she has had only a one-year term, the shortest term there? She was fighting for preservation. Another was Ray Lowes, secretary of the Bruce Trail Association, a founder of the Federation of Ontario Naturalists. The Premier gave him the Ontario Medal for Good Citizenship.

If what the Premier says is correct and he knows nothing about this and there was no political party reason for taking those four people off that commission, will he give a commitment that the terms of these four members will be extended for at least another year so they will have a part in the determination of that plan; or, if replacements are made, that they will be other people who have been suggested by, or are acceptable to, these four on the Coalition on the Niagara Escarpment?

Hon. Mr. Davis: I think it has been clearly demonstrated over a number of years that we have always appointed people to the Niagara Escarpment Commission who reflect the broad public interest. Let the member take a look at the four people he referred to. Who appointed them? The government of the province of Ontario. I think the record of the Niagara Escarpment Commission clearly determines that we—

Mr. Swart: You are changing that now. You are changing that when you get to the crucial part.

Hon. Mr. Davis: With great respect it is not—I shouldn't say "with great respect" the way he has worded his question. I would suggest to the honourable member that he is totally wrong in his assessment. They have been reappointed. The fact that they are still there is a clear indication.

Mr. McKessock: Final supplementary, Mr. Speaker: When the Premier is choosing these appointments to the Niagara Escarpment Commission would he give more consideration to the people who live in the Niagara Escarpment control area, rather than those outside the area affected? In the past there have been very few, if any, appointed to the commission who live directly within the Niagara Escarpment control area.

Hon. Mr. Davis: Mr. Speaker, I should really tell the two honourable members they should go outside this House and come back with a name upon which they could jointly agree. Because what the member for Grey wants is not what the member for Welland-Thorold wants. What this government does is to get objective, reasonable, intelligent people, and the record of the Niagara Escarpment Commission indicates that very clearly.

EGG MARKETING BOARD

Mr. G. I. Miller: Mr. Speaker, I have a question for the Minister of Agriculture and Food. Is the minister aware of the confusion surrounding the Farm Products Appeal Tribunal decision to grant egg-producing quotas to 42 pullet growers? And specifically, when is that quota to be made available? Can the minister clarify for us exactly what direction has been given to the Egg Producers' Marketing Board? Is the total quota of 105,000 birds to be made available by July 15, or is the quota to be made available only when that reserve has been accumulated?

Hon. Mr. Henderson: Mr. Speaker, I am not sure whether the honourable member is suggesting the tribunal made a wrong decision. Is that his suggestion?

Yes, I am aware of all the decisions. There were two hearings. The first was last February and then the Egg Producers' Marketing Board went back to the tribunal for clarification of the original decision. The clarification came down.

I met with the Egg Producers' Marketing Board, which pointed out to my board when it could meet those proposals.

The farm products branch suggested the Egg Producers' Marketing Board should meet this commitment by July 15, 1982. I am sure if the honourable member is fully up to date, he will be aware that last week the Egg Producers' Marketing Board, the pullet producers and the whole group of them were here in Toronto for a meeting. At that meeting it was pointed out that several of the pullet producers did not want to take up that quota at this time. They wanted to defer taking up their portion of the quota until one, two, three, four years hence.

The only thing I can tell the member at this moment is that the Egg Producers' Marketing Board is looking at the proposal that was made at the meeting last week. They are looking at the possibility of trying to extend the term of the period of years to those people who wish the extension, and it is the intention of the board to try to implement the appeal tribunal's decision.

I have quite a lengthy letter on this from the member for Huron-Middlesex (Mr. Riddell) as well. But the Egg Producers' Marketing Board is trying to implement that. It will be meeting with those pullet producers between now and Christmas, and it is going to report back to me on January 7, if that is any help.

Mr. G. I. Miller: Supplementary, Mr. Speaker: Is the minister aware that the egg producers are importing many of their pullets from the United States of America, while the pullet producers' barns are going empty? Some of them are going into receivership. What is the minister doing to bring these two sides together so that we can produce pullets here in Ontario and keep that business alive?

Hon. Mr. Henderson: Mr. Speaker, I am aware a few pullets are coming in, but the story presented to me is that the ordinary egg-producing industry is producing less than 70 per cent of the housing in which it is capable of producing. Instead of going out and buying their pullets from someone who has been involved in producing pullets, they now take that empty housing and raise their own pullets. That is what has created the problem.

This has been a problem since 1974. The egg board has problems but believes they are being brought under control.

3:10 p.m.

I do not mind telling members that we are having a problem with the American imports

within our broiler industry. Some of those people are bringing their little chicks in from the USA. We believe there should be some method of stopping this. I support that fully, and the broiler-egg producers have organized themselves during the past six or eight months across Canada to try to address that problem.

Mr. Wildman: Final supplementary, Mr. Speaker: Will the minister indicate when the decision of the tribunal last winter to allow a quota for more birds for northern Ontario will be implemented so the producers in the north will be able to produce more eggs and the consumers in the north will not have to depend on eggs imported from southern Ontario?

Hon. Mr. Henderson: Mr. Speaker, I think the honourable member has got the wrong interpretation of the decision of the tribunal. The decision, as I remember it—and it has been several months since I have read it—is that the quota in the north must be made available to the north for a certain number of months, not that there should be a new quota.

I do not have at my fingertips the length of time this quota must be made available to the producers in the north, but I am sure the member does. Then if there is nobody—

Mr. Wildman: When?

Hon. Mr. Henderson: When it is for sale. It does not matter when. If any egg producer wants to sell quota he cannot sell it to a producer in southern Ontario; he has to make it available to the north. But if it is not for sale it is just not for sale.

Mr. Wildman: I'll write to you and explain it.

Hon. Mr. Henderson: Okay.

RENTAL HOUSING

Mr. Breagh: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. Is he aware that between his Ontario Mortgage Corporation and the Canada Mortgage and Housing Corporation there are roughly 700 to 1,000 vacant apartments in the Oshawa area at a time when we have a zero vacancy rate? Does it not strike him as a little weird that the people of this country and of this province own close to 1,000 empty apartments in our area at a time when we have a zero vacancy rate?

Hon. Mr. Bennett: Mr. Speaker, I would say it is unusual. If the member wants to give me the addresses I will look into it. We have had a discussion about certain units we own in Oshawa, or that we became the owner of as a result of the mortgage position we took in certain

buildings—McLaughlin Square One and so on. But to the best of my knowledge we have put back onto the market as rental units those units we had as a result of our mortgage position. They have been back on the market as rental units until the market position changes so we could dispose of them and sell them.

Mr. Breagh: Supplementary, Mr. Speaker: I will be happy to take the minister on a tour of apartments he owns in the riding that are vacant. But would he answer a simple question: why is it that taxpayers who paid for these apartment units, most of them now classified as condominiums, cannot rent them, particularly since the units are empty? Why do we have a zero vacancy rate in a community with whole buildings that are empty? Is that not nuts?

Hon. Mr. Bennett: We have units in Oshawa that are quoted as condominiums which are rented and which are owned by the people of this province—which includes both the member and me. The same member has raised a few questions about them on occasions when we have tried to sell those units. We have given the first right of refusal to the present tenants in a very favourable market position—indeed, at a very favourable interest rate that is considerably better than market position in this province today.

But if the member knows of some units we have that are not rented I will review the situation very carefully to see why they have not been rented. But there is sometimes a little bit of resentment by others in a condominium building when the units continue to be rented instead of coming under direct ownership by individuals who want to participate in running the condominium organization of that building.

I am surprised it has taken the member this long to bring the situation to my attention, because either he or his riding secretary have brought vividly to my attention all the other problems in his riding. I would be pleased to hear which one he is now referring to.

Mr. Epp: A supplementary question, Mr. Speaker: I wonder whether the minister would take into consideration, when he is doing the review in Oshawa—

[Failure of sound system].

Mr. Speaker: Speak loudly and I am sure the minister will hear you.

Mr. Epp: In view of the fact the Minister of Municipal Affairs and Housing is planning to do a survey in Oshawa with respect to the empty apartments, would he also take into consider-

ation reviewing the whole province and reporting to this House within the next few days the number of units that are available? This would be with the intention of reviewing government policy and making those units available.

Hon. Mr. Bennett: Mr. Speaker, I said if the member for Oshawa wished to inform me of the unit he is referring to—

Mr. Epp: You have the civil service. You do it.

Hon. Mr. Bennett: I am referring to the member for Oshawa. He said he would be delighted to supply me with a list. As to the units that are with the Ontario Mortgage Corporation and the Ontario Housing Corporation, to the best of my knowledge where there is not an agreement of sale on them—I want to emphasize that—and they come back to us either under repossession or a quick takeover by OMC, we have put them back on the market for rental purposes.

The Canada Mortgage and Housing Corporation is not any different. It has done exactly the same thing. The most logical thing to do is to rent when there is an asset there and a shortage in the marketplace in a particular community. We put it on a year-to-year basis for the simple reason that if market conditions change we would like to afford the opportunity to someone to purchase that unit.

Mr. Breagh: On a point of privilege, Mr. Speaker: The minister has made me an offer I cannot resist. If he will put those units in my name, I will rent them and it will not take more than two or three days. I would appreciate the opportunity.

Mr. Speaker: Order. That is not a point of privilege.

Mr. Epp: On a point of privilege, Mr. Speaker: Will you make sure that these microphones are working in future?

Mr. Speaker: Obviously they are having some problem but I could not help noticing that when you got up to ask the question without the aid of the electronic equipment, there was a respectful hush over the whole House.

Mr. Riddell: Mr. Speaker, they can take my mike away from me.

Mr. Speaker: Yes, they can.

Interjections.

TOW TRUCK OPERATORS

Mr. Elston: Mr. Speaker, I have a question for the Minister of Consumer and Commercial

Relations. I was advised there would be a statement made in response to some questions I asked of the minister concerning the tow truck matter. I was informed when time ran out yesterday there would be a statement today. Is the minister now in a position to provide us with the material he indicated?

Hon. Mr. Walker: Mr. Speaker, two or three days ago, the member for Huron-Bruce asked me a question about the newspaper articles that related to tow truck operators. I should begin by saying the tow truck industry is licensed municipally.

Mr. Bradley: Blame the cities.

Interjections.

Hon. Mr. Walker: Is the member suggesting we license them now? Does he wish us to take it away from the cities?

Mr. Speaker: Just answer the question. Never mind the interjections.

Hon. Mr. Walker: Should I answer that question, Mr. Speaker, or the other member's?

In addition to their licensing in this area, some municipalities, including Metropolitan Toronto, have passed bylaws in an attempt to attack the very problem mentioned in the newspaper article. The Metro Licensing Commission has announced a crackdown on tow trucks and the Metropolitan police department is conducting an investigation into allegations of kickbacks to body shops.

3:20 p.m.

Our own ministry investigators have not heard from the police on the subject. However, I am confident the police have been taking into consideration their concerns to the municipal regulatory body. Generally, very few complaints about tow trucks are received at all. Those that do come in to our ministry are related to prices for the tows after the breakdowns in bad weather or in remote areas. We receive virtually no complaints about problems at accident scenes.

Still, accident victims may take a number of steps to avoid problems. These include driving the car to the known body shop if the police say it is safe to do so, being careful what they sign, asking questions about where the car is being towed and, if possible, checking with the insurance company for instructions.

In cases where the consumer pays for the tow, the Business Practices Act provides protection if he or she is given false information or is pressured into turning the car over to an

unscrupulous operator. The agreement may be rescinded within six months and the consumer may request the return of any money paid.

Finally, it must be remembered that the police role at the accident site is to ensure the safety of any injured persons and to restore traffic to normal so further accidents are prevented. Safety must take priority over all other considerations at such times.

Mr. Speaker: The time for oral questions has expired.

WINTARIO GRANTS

Mr. T. P. Reid: Point of order, Mr. Speaker: This relates to the matter my leader was attempting to deal with earlier in regard to the Minister of Culture and Recreation (Mr. Baetz) and the fact there seemed to be some dispute over the veracity of his statements.

I would draw your attention to the Thursday, March 30, 1978, Hansard in which the House dealt with a matter regarding a newspaper report in the Globe and Mail. You are nodding as if you have already looked at this.

Mr. Speaker: I have.

Mr. T. P. Reid: If you have, then I respectfully suggest that on that occasion the Speaker accepted my motion without notice being put at that time. It was put to the House at that time and with the concurrence of the House was then sent to the procedural affairs committee. I most respectfully suggest that having that example before you, you should have accepted the motion as put by my leader. I would suggest that be done now.

Mr. Smith: That was not a prima facie case.

Mr. Speaker: With great respect, I gave a decision this morning. As you have suggested, I have read that case and I would submit it is somewhat different.

Mr. T. P. Reid: This is more serious.

Mr. Speaker: It was put to the unanimous consent of the House and the House decided.

Mr. Smith: On a point of order, Mr. Speaker. All we were asking of you was that you put my motion to the House. If the House would not accept it, then it will not accept it, but you refused to permit it saying I had to give notice.

Not only was the motion of the member for Brant-Oxford-Norfolk (Mr. Nixon) accepted without notice—you claim it was a different kind of prima facie case—but the member for Rainy River's motion was accepted without notice and it most certainly was not a prima

facie case. I do not see why you would not follow the precedent, accept my motion and let the House vote against it if it is the will of the House.

Mr. T. P. Reid: It is a very serious matter.

Mr. Smith: The minister cannot come into this House and mislead us, day after day.

Mr. Speaker: With all respect, I am just trying to describe the different circumstances as I see them.

Mr. Peterson: The circumstances have nothing to do with it.

Mr. Speaker: Just a minute, just cool off.

I gave an opinion this morning. I have no qualms about putting it to the House, if that is your wish. If you are asking unanimous consent of the House in order to put the motion, I ask the House: Do we have that unanimous consent?

Obviously, we do not have unanimous consent.

Mr. Smith: You are going to protect Reuben, eh?

Mr. Speaker: I hope you were not making that remark towards me.

Mr. Smith: No, that was to the Tories.

Mr. Bradley: Why do you not confess, Paul Yakabuski, and save us all a problem.

Mr. Smith: Just to follow on that point of order, to take the example—

Mr. Speaker: The point of order has been disposed of—

Mr. Smith: On another point of privilege, Mr. Speaker: This is related to the matter brought up by my friend, the member for Renfrew North (Mr. Conway). Yesterday in the House he pointed out that whereas the Minister of Culture and Recreation had stated in this House that he had most certainly not spoken with the member for Renfrew South (Mr. Yakabuski) on the matter of Wintario grants, an article appeared in the riding of the member for Renfrew South stating quite plainly that the announcement was made by that member after consultation with the Minister of Culture and Recreation.

The reporter for certain newspapers in that area says that is what he was told by the member for Renfrew South. Either the member for Renfrew South is telling the truth when he said he spoke to the Minister for Culture and Recreation or he is not. It is one or the other. Either the minister is telling the truth or the member for Renfrew South is telling the truth, but they both cannot be because they are saying opposite things.

If we are to sit here day after day and listen to the Minister of Culture and Recreation tell us one thing, when the exact opposite may well be the truth in the matter, we have to have some recourse. I think the committee on procedural affairs is the only recourse—the only third party around, so to speak—we can seek to look at the matter, ask questions and find out who is telling the truth.

Furthermore, the Minister of Culture and Recreation, while responding to my friend from Renfrew, also alleged the member for Quinte (Mr. O'Neil) and myself harassed his staff—accusing us of harassing. He withdrew “harassing” but not “inveigle.” He did not withdraw it from—

Hon. Mr. Bennett: Oh yes he did; come on.

Mr. Smith: He did later on. I apologize for that, but he did not withdraw the accusation that I harassed his staff. That has never been withdrawn. Frankly, I regard the Wintario matter as trivial but the attitude of the minister I regard as very serious. I believe my motion should be voted on, and I believe the members of this House should have some protection even though it is a majority situation.

Mr. Speaker: I would point out to all the honourable members, and the Leader of the Opposition in particular, that the minister did withdraw the remarks he made towards the Leader of the Opposition. That is my information.

DECORUM IN LEGISLATURE

Mr. Williams: On a point of order, Mr. Speaker: During the question period I have been watching with interest the leader of the third party and his colleague the member for Port Arthur (Mr. Foulds) devouring a bag of peanuts across the way. I would like some clarification as to whether the standing orders of the House permit the consumption of food within the precincts of the House. I would appreciate a clarification. It seems to me their behaviour is somewhat unparliamentary, and I would like some—

Mr. Speaker: Order. There is nothing out of order. There is no point of order.

Mr. G. I. Miller: On a point of privilege, Mr. Speaker: Were those Norfolk peanuts?

REPORTS

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Shymko from the standing committee on social development presented the following

report and moved its adoption:

Your committee begs to report the following bill with certain amendments:

Bill Pr35, An Act respecting Victoria University.

Your committee begs to report the following bill without amendment:

Bill Pr42, An Act respecting the Theological College of the Canadian Reformed Churches.

Your committee would recommend that the fees less the actual cost of printing be remitted on Bill Pr35, An Act respecting Victoria University.

Mr. Speaker: Order. There is far too much conversation going on.

Mr. Stokes: Well, the mike is not even working.

Mr. Speaker: It is.

Mr. Stokes: You cannot expect us to vote on something we cannot even hear.

Mr. Speaker: With all respect, the mike is on. If people would just keep quiet we could hear.

Report adopted.

3:30 p.m.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Barlow from the standing committee on general government reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Treasury and Economics be granted to Her Majesty for the fiscal year ending March 31, 1982:

Ministry administration program, \$3,036,000; Treasury program, \$2,324,000; budget and inter-governmental finance policy program, \$3,311,000; economic policy program, \$88,773,000; central statistical services program, \$971,000; Ontario Economic Council program, \$722,000.

MOTION

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Hon. Mr. Wells moved that the standing committee on administration of justice be authorized to sit in the afternoon on Wednesday, December 16, 1981.

Motion agreed to.

INTRODUCTION OF BILLS

RECIPROCAL ENFORCEMENT OF MAINTENANCE ORDERS ACT

Hon. Mr. McMurtry moved, seconded by Hon. Mr. Wells, first reading of Bill 193, An Act

to revise the Reciprocal Enforcement of Maintenance Orders Act.

Motion agreed to.

Hon. Mr. McMurtry: Mr. Speaker, for the past several years a uniform Reciprocal Enforcement of Maintenance Orders Act has been the subject of extensive study and revision by the Uniform Law Conference of Canada. Agreement among provinces was reached and a new uniform Reciprocal Enforcement of Maintenance Orders Act was adopted by the conference in 1979. This uniform act deals effectively with the difficulties that have been found to arise under existing legislation. When adopted and enacted in the various provinces, it will provide more effective enforcement of maintenance orders in situations where the parties are resident in different jurisdictions.

The bill introduced here today closely follows the uniform act on which it was modelled. The improvements made by the uniform act are here incorporated into provincial legislation. The proposed act makes clear that the applicable law is the law of the jurisdiction where the order was originally made. It also ensures that claimants' spouses who move out of the original jurisdiction can use the provisional variation procedure in their new home province or state.

In addition, the bill diverges from the uniform act on one point. The uniform act states that an Ontario court may vary a final order made in British Columbia, for example, even if a claimant's spouse still resides in British Columbia. Our bill provides that when a claimant's spouse still resides in the province where the original order was made, the Ontario court may only make a provisional order of variation, which will then have to be confirmed by the original court.

This change is made in response to serious objections by the governments of Saskatchewan and Manitoba, which have refused to adopt the uniform act in their provinces unless the amendment is made.

The approach followed in this bill ensures that as long as the court which first made the orders retains jurisdiction over one of the parties it will continue to have the final power to vary or rescind that order.

The bill is introduced in recognition of the need for more effective enforcement of family

law orders. It is also the product of a desire for more uniform legislation across Canada, and a co-operative effort to achieve that goal.

PLANNING STATUTE LAW AMENDMENT ACT

Hon. Mr. Bennett moved, seconded by Hon. Mrs. Birch, first reading of Bill 194, An Act to amend Certain Acts in respect of Planning and Related Matters.

Motion agreed to.

Hon. Mr. Bennett: Mr. Speaker, this bill is complementary to the proposed new Planning Act and it will make two amendments to the Municipal Act. The first is to delete the sign regulation provisions which are contained in section 40 of the new Planning Act in a slightly altered form. The second is to re-enact in the Municipal Act, in a substantially revised form, sections 46 and 47 of the present Planning Act which deal with various aspects of municipal building bylaws.

The bill will also delete all planning provisions in the various upper-tier acts which are provided for in the new Planning Act. Where the division of responsibilities between the upper and lower tiers differs from that set out in the new act, those provisions which spell out the differences are being retained. The purpose of these amendments is to prevent unnecessary duplication and overlapping between the upper-tier statutes and the new Planning Act.

Mr. Stokes: Mr. Speaker, could the minister elaborate a little more? I understand him to say he was amending two acts with one bill. Could he give us the rationale for that?

Hon. Mr. Bennett: Mr. Speaker, this particular act will proceed forward at the same time as the new Planning Act. The provisions that are being made here are to allow for certain amendments to be made in the general regional municipal bills, whereby any changes in planning have to be entertained as amendments to those bills. What we are trying to achieve through this is the unification of planning procedures so there is not the unnecessary requirement of introducing each time some planning change takes place, let us say in Ottawa-Carleton, that a special bill has to be brought here.

I think the member is aware that every time we get into making certain amendments regarding planning each regional act has to be brought back for specific amendment. What we are trying to achieve here is unification so that, once made, it covers the entire field.

ASSESSMENT APPEAL PROCEDURE AMENDMENT ACT

Mr. Epp moved, seconded by Mr. Ruprecht, first reading of Bill 195, An Act respecting Assessment Review Procedures.

Motion agreed to.

Mr. Epp: Mr. Speaker, the bill provides for a new assessment appeal procedure whereby appeals on questions of fact from decisions of the assessment review board, formerly the assessment review court, would no longer be heard by county court judges but by an assessment appeal board with expertise in assessment and appraisal matters. Further appeals on questions of fact would be heard by the Ontario Municipal Board, whose decisions would be final. Appeals at any level on questions of law or on mixed questions of fact and law would be heard by the county and district courts and further appeals would be heard by the divisional court.

3:40 p.m.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, before you call the orders of the day, I wonder if I could indicate to the table that we have agreed the time on resolution 46 will be split equally three ways during the debate this afternoon. Perhaps the table could watch the time for us.

ORDERS OF THE DAY

HOSPITAL SERVICES

Mr. Cassidy moved, seconded by Mr. McClellan, resolution 46 under standing order 63(a):

That this House condemns the government for the decision announced by the Minister of Health to return Ontario to profit-motivated health care and to establish discriminatory hospital services that will threaten the health of the majority of Ontario citizens and, further, that this House condemns the government for fundamentally undermining universal hospital care contrary to principles and agreements outstanding with the federal government and contrary to promises made by the Premier only hours previously that his government would not impose user fees for health services, and for these reasons this House no longer has confidence in the government.

Mr. Cassidy: Mr. Speaker, we have brought this motion of no confidence in the government because of the widespread concern across the

province about the recent changes in health care policy that were announced by the Minister of Health (Mr. Timbrell) just a week ago.

As the political party which first began to fight for medicare and for hospital insurance, which introduced it in Saskatchewan, which pioneered public health care insurance on this continent, as the party which has advocated and has seen to the building of a genuinely universal and democratic health care system we are shocked at the way this government is now systematically undermining universal health care here in the province and at the way it is dismantling one of the greatest social programs that has been put in place by any government anywhere.

It is absolutely undeniable that we all have a responsibility to our brothers and sisters when it comes to the matter of health care. No society can callously stand by while its citizens are unable to meet their basic health needs. The cost of that in human terms, the cost of that ultimately in economic terms as well, is too enormous to measure; and that is why there is such tremendous support for medicare in this province and why there has been for such a long time.

Through the 1960s when medicare was coming in, through the 1950s when hospital insurance was coming in, we saw in this province a determined rearguard action by the Conservative government. They did not want to have medicare. Premier Robarts called it a Machiavellian scheme, and he dragged his feet and kept Ontario out of medicare until finally a by-election brought the government to its knees and made it accept the fact that it had to bring it in here.

I suspect the reason for that was, in part, the fact that the federal scheme brought in during the 1960s would have undermined some of the friends of the government in the insurance industry. It seems to me that the benefits of having health care available as a right to everybody are so obvious and self-evident that no government should be in the business of dismantling it.

I remember a couple of years ago when Senator Edward Kennedy in the United States cited a couple of comparable cases of people who had had crippling illnesses. One was in the United States, the other here; both were serious, and both were away from work for a long time. The American citizen was bankrupted by the process; the Canadian was on his way to health without having destroyed his own economic future or that of his family.

We have that essential security in this province now, but it is being taken away thanks to the actions of this government. There is no question that there are forces in our society which now want to return us to the world of private enterprise medicine, forces which see the solution to the economic problems of this country in continuing cutbacks in social services. The forces of neoconservatism are running over this province and running over this country. Members of this government subscribe to that. The Minister of Consumer and Commercial Relations (Mr. Walker) and some of his colleagues subscribe to it, and now the Minister of Health has got on board as well.

These are people who would once again distinguish in the services available to people with money as opposed to people who for various reasons do not happen to have the money to pay for private enterprise medicine.

We as a party have fought against any kind of unfair charge being introduced into medicare. Two years ago I and my party went to every corner of the province in order to find out what was happening with the health care system. We came back with a petition signed by 279,000 concerned Ontario citizens, the largest petition in the history of this Legislature, people who said: "Don't take our hospitals away. Don't take our medicare away. Stop the cutbacks and maintain the quality of the system."

That petition had an impact because we had an election coming and a minority government. We managed to stop the government, at least for a while. There were some extra allocations of funds to the hospitals for a while, but now that majority government is in place we see those were crocodile tears the government was shedding. There was no real commitment to maintaining universal hospital and medical care, and now it is back in the business of taking it away.

This government, in fact, has become one of the forces seeking to undermine universal and free medicare in Ontario. We already have the highest premiums for health care in Canada. We already collect a regressive tax in health premiums, one which costs a lot more to the people who work as cleaners in this building, for example; than it costs, in terms of their income, the people who support the Conservative Party and work in large corporations or down on Bay Street. It is about time OHIP premiums were eliminated and replaced with a genuinely progressive tax based on the ability to pay of the people of the province.

The government has stood idly by while

doctors have opted out of the system and have been imposing their own version of user fees. We now have a situation where in many communities, such large numbers of specialists are opted out in certain specialties that it is impossible to be guaranteed to get to a specialist, if you want to go, under OHIP.

We have instances again and again where the doctor turns around to the patient and says, "If you want the care you paid for, pay me what I want to charge and then get what you can under medicare." That is taking away from the basic principles of the system. We have fought against opting out, because once again it means a system of health care that treats people with money differently from people who do not have money.

I am afraid that, for all the efforts doctors may make to avoid this influence in their decisions, it is still the case that a private pay patient, or a patient who is paying extra to the opted-out physician, is going to have a better chance of getting a bit more attention, of having the doctor remember his or her case when something new comes up, of being able to get through when they pick up the telephone and try to speak to the doctor about something that is on their mind. That is human nature, but it is permitted in this province because we allow doctors to opt out.

Those opted-out doctors are now applying a form of user fee that is profoundly unjust. It will not do to say that patients can turn to doctors who are not opted out, because some OHIP doctors have closed their lists and other OHIP doctors are not available where people have a need for them. In some communities there are so few specialists participating in OHIP that people have no choice but to go to the specialist who has opted out. What this government should do is move, in advance of the federal government's making it do so, to eliminate double billing, which is now taking place under OHIP, so that every person in this province can have access to medical care without having to pay extra.

Another example of the user fee mentality that has crept into this province already is the way the government introduced chronic care copayments and now charges the elderly \$11.77 a day in public facilities. That fee is equal to almost the entire guaranteed income for senior citizens in Ontario. For a single individual it is \$4,296 out of a \$5,500 guaranteed income; and that is exacted in user fees from those senior citizens, despite whatever obligations they may

have in terms of maintaining a home with a spouse or in terms of other obligations they may have had, which they earned a pension to pay for through all the years they contributed productively here in this province. Those user fees destroy the dignity of old people and they should not exist in this province.

3:50 p.m.

Then the province turned around and started to extract special needs payments from the parents of severely retarded children, which no other province in Canada does. The country has basically blackmailed those parents to get them to pay those fees. It is blackmail of people who are vulnerable and who are not willing to make a fuss because they fear that would influence the care their kids get in the chartered facility. That too is shameful.

The point I am making is this litany of user fees goes on and on. It is now at the point where it is striking at the core of the health care system.

Last week this government chose to assess another user fee, one of a different kind. This time the hospitals were the objective. In what appears to be an effort to turn our hospitals into profit centres, or is it shopping centres, the Minister of Health announced a series of changes that will have the ultimate effect of once more creating a class system of medical care. It is not just a matter of raising the price of private and semi-private beds. The hospitals have been given carte blanche to extend the number of semi-private and private beds as well.

There is a contemptuous and callous approach to the provision of health care to the people of this province which is contained in what the minister had to say before the Ontario Hospital Association. The Minister of Health has a responsibility to provide health care as effectively as possible to everyone in the province. The thinking in his speech to the hospital association seems to come from a different world.

He says what we need across the public sector is a larger measure of private sector thinking. He says we have to think about the product. That is what they say at General Motors and J. Walter Thompson. In this case the product, as the minister refers to it, is health care. I do not believe we can put health care on the same basis as selling cars, soap, toothpaste or feminine deodorant. He talked about entrepreneurship in ancillary areas which the hospitals will be encouraged to get into. He talked about a bottom line mentality.

What on earth is happening in the hospitals when the minister takes that approach and tells them they are going to run their hospitals on the same basis as Marks and Spencer, Eaton's or Consumers Distributing? Does the minister mean to imply that hospitals should now become profit-making institutions? That is what he seems to be doing. Does he not understand the basic contradiction between providing services to people regardless of their ability to pay for the service and the principles of profit, of buying cheap and of selling dear?

The Premier (Mr. Davis) was no different. He said, "We will do everything in our power to fight to protect the integrity of our health care system." That sounded good. That was on Monday. Two days later, the Minister of Health was taking that integrity away with a series of announcements. The Premier himself talked about making a business-oriented system of hospital management, whatever that means. Then he said, "For the present, no new user fees." For the present means the Premier could change his mind in January or February and bring them in then since he has a majority government.

No new user fees means no new user fees. I will not use the word I used in the House the other day because I got kicked out for using it, but the only way to describe the Premier's actions a week ago Monday is in an unparliamentary way, because he did not tell the truth. Whether it was deliberate or not, I do not know. I say that to stay within the rules of this House, Mr. Speaker, but I think we can all draw our own conclusions from the fact he must have known what the Minister of Health was going to say two days later.

The Deputy Speaker: Order. The difficulty I have is that you have indicated that a member of this distinguished Legislature was not telling the truth.

Mr. Cassidy: The rules say that one may not accuse a member of uttering a "deliberate falsehood" and I have not accused the Premier this time of doing that. I am staying within the rules. People can draw their own conclusions in terms of the statements made by the Premier which were contradicted two days later by—

The Deputy Speaker: Order. Under 19(d)8, 19(d)9 and 19(d)10 of the standing orders there is an indication one cannot indicate that another member is lying.

Mr. Cassidy: "Deliberate falsehood"; that is a quote from the rules. While you look at that I will continue, Mr. Speaker.

The Deputy Speaker: No. Let us get it straight and decide it while we are here. Section 19(d)9 says, "Imputes false or unavowed motives to another member," and section 19(d)10 says, "Charges another member with uttering a deliberate falsehood." Do we look up in Webster's Dictionary the interpretation of not telling the truth and falsehood? Without doing that, in my estimation they are close to the same. I would ask the leader of the third party to phrase his comments in another way.

Mr. Cassidy: Mr. Speaker, I will withdraw the word you have objected to. I think I have made the point. Certainly it beggars belief that the Premier could say one thing on Monday and two days later could be contradicted by his Minister of Health, and that the Premier was not aware in making his statements on Monday that they were wrong and would be contradicted two days later.

The Deputy Speaker: Thank you.

Mr. Cassidy: There is no place in our hospitals for the kind of thinking that is creeping in right now. No one opposes efficiency with scarce public resources. No one opposes the idea that there should be local control and direction or that the administration of the hospitals should be decentralized, but we should not let this government or anyone else presume to establish a system that puts on the kind of incentives the minister or the Premier are now talking about.

One cannot provide health care in the same way one sells groceries, saunas, hot tubs, soap or anything else. That is where the government is so wrong in the announcement it has made.

The new plan will encourage hospitals to close ward beds and replace them with preferred accommodation. That then removes the ceiling on what can be charged for such beds. Those are technically the new user fees, new beds with new fees, which are now being condoned and, in fact, encouraged by the ministry. Hospitals will be able to set the user fees at whatever level the market will bear. That may be a good way to sell bananas or cars, but it has no place in health care.

The minister turns around in his speech and says, "Of course we have a guarantee, a ready supply of standard ward beds." But once again, since people are human and since the profit motive is now being injected, how is that going to be guaranteed? Since people who seek standard ward accommodation cannot get it now if they are looking for elective surgery,

sometimes for months on end, how will the government ensure that there will be equitable treatment between people prepared to pay extra for private or semi-private beds and people who can just pay the standard ward rate when it comes to the elective list?

How is the government going to ensure that the standard ward patients do not get put on stretchers when beds are scarce while the patients who pay get into the private or semi-private beds? How will the government ensure that it will not be the administrators guided by the profit motive who make the decisions when it comes down to making a choice between two patients, both of whom have doctors saying there is a medical need for them to have a private room, only one can pay and the other cannot? Those are the dilemmas we face right now because of what the minister and the government are doing to undermine the health care system as it is right now.

We are going to have the hospital administrators encouraged to act like the managers of the Holiday Inn down the road. Higher fee for room with a view—is that what is going to come? Will one pay extra for filet mignon, and get macaroni, rice, white potatoes, cream sauce and nothing more if one is on the standard ward rates? That is what is going to happen. We can spin speculation out to a ludicrous extent, but that is what the minister is opening the door to.

I want to look at the further implications as well. It is clear that hospitals in Oakville, Mississauga, Etobicoke or North York will find the traffic will bear a lot higher price than hospitals in Chapleau, Cornwall, Sioux Lookout or places like that, areas where there are simply not the incomes to bear heavy user fees or heavy private and semi-private charges. The consequence of that is going to be that those hospitals in wealthy areas will be able to charge more and hence will make greater profits—let us use the word—and that is what the minister has told them to do.

If they make those greater profits they are going to turn it around and offer a different standard of care. We are going to get a two-tier system, a two-class system, where the people in Oakville will get better care, because the hospitals can afford to provide better care, than people in other parts of the province. That is happening, thanks to the announcements being made now. I call it two-class health care. Anybody with sense would. That is not what medicare and hospital insurance, what OHIP is all about as far as I am concerned, and as far as this party is concerned as well.

Goodness knows what the federal-provincial implications are. We know the federal Minister of National Health and Welfare has indicated clearly that Ontario is bound not to have more than half of its hospital beds in the private or semi-private category. We know what she thinks in terms of the way Ontario has now violated the principle of health care by putting an unlimited fee on those private and semi-private beds.

If we start to lose those federal payments there will be further undermining of the health care system. There will be a dizzy spiral of more and more private money going into a system and the fine quality, this towering achievement of public policy in our province, being destroyed because of the free enterprise ideology of the Premier, the Minister of Health and the rest of the Conservative gang.

4 p.m.

What will be the end result of this process of medicine for sale to the highest bidder? It means the people in Dalhousie ward in my riding will not be able to get what they have been paying for in terms of universal and free medicare. It means the people who live in Chapleau, in the riding of the member for Nickel Belt (Mr. Laughren), will not be able to get decent health care. They will be forced to take charity ward treatment the way we used to in this province 30 or 40 years ago. That kind of charity ward treatment is what we thought we were getting away from by bringing in hospital insurance, by bringing in medicare.

We brought those things in almost over the dead body of this government which fought to resist it and now it is fighting to take medicare away. We are going to see a destruction of the fundamental principles of medicare unless this government either turns its decision around and abandons this injection of the free enterprise ethos, or unless we get a new government that is committed to maintaining health care, to maintaining medicare along its original principles.

This government has failed totally in its sacred trust to look after the health and wellbeing of our people. It does not deserve the confidence of this House or the confidence of the people of Ontario. The Minister of Health should resign so that his place can be taken by someone who has a commitment to save medicare, to advance medicare, to give it and make sure it is available to everybody across the province without regard to their means, rather than having a Minister of Health who seems to be the minister for the destruction of medicare.

Interjections.

The Deputy Speaker: Order, please. I would like to point out to all members that the time equally divided will be approximately 42 minutes each. As we progress into the debate I will indicate a time limit.

Mr. Gordon: Mr. Speaker, the goal of this government, specifically the Health ministry, is to provide Ontario citizens with the optimum quality of health care. That means we must preserve the standards of excellence we have already reached. It also implies more than maintaining the status quo. To stand still today is to fall behind.

The Ontario government, the members opposite, the public and the hospitals, all of us must commit ourselves to ensuring continued progress in the health system. This evolution must reflect the latest and the best advances in medical technology and techniques.

What we have done most recently, through the announcement of the OHA initiatives, is to free greater revenues for use by the hospitals and to signal our approval for hospitals to generate revenues. Both of these policy decisions are directed towards the cause of greater patient care. With that cause ever forward in our minds, I would like to address the motion directly and then give the government's position on the various points.

The first condemnation arises from the belief that the Minister of Health intends to return Ontario to a profit-motivated health system. First of all, no one is returning to such a system. We have never had a system based on profit, as other jurisdictions have developed.

Second, the four major initiatives offered by the minister to the Ontario Hospital Association convention last week were not intended to imply the profit motive. Note that the Minister of Health did not mention the word "profit" once in his OHA speech. The reason he did not is that the entire discussion of maximizing revenues and minimizing expenditures, which the members opposite seem to have misunderstood, was geared to providing the utmost value for the dollar, proposing an improved way of managing resources, a drive for new economic productivity incorporating existing revenues into the hospitals' base funding.

These are phrases from the minister's speech. "Indeed our proposals are aimed at reducing the alarming rise in hospital deficits and we are convinced in the fullness of time that they will provide the environment to help get a crucial margin of growth." On that last point, the emphasis expressed by the minister was very

clear. He said, "Hospital net earnings will help ensure that we not only keep up with inflation but continue to achieve real gains in the quality of care."

We in this government have no intention of returning to a profit-motivated system, nor of establishing one for the future.

The no-confidence motion spoke next of our trying to "establish discriminatory hospital services that will threaten the health of the majority of Ontario citizens."

I object to this charge in the strongest possible terms. For the past half century and more, preferred accommodation has been a hospital fact of life. It has served the public well; they seem quite happy with it. The essential point is that standard and preferred accommodation differ in nonmedical areas. All health care is of the same quality. It is the best available.

I would remind this House of what was said in the emergency debate last week. Every hospital bed in Ontario is an insured bed. I would ask the members in the opposition benches, what is discriminatory in hospital services when no patient is ever denied a hospital bed and, more importantly, no one is ever denied preferred accommodation, regardless of his insurance coverage, when it is a medical necessity?

They seem determined to ignore the guarantee which the government wearily continues to make. The reason is simple. The guarantee reduces their arguments to absurdity.

I am glad to see the leader of the third party has returned, since he has not been here for most of this rebuttal.

Quite clearly, we are not implementing measures that will threaten the health of any citizens, nor are we implementing a new system. What we are doing is changing policies regarding the existing system. Naturally, those policies will eventually affect the health field and, we think, in positive ways.

The principles the Ministry of Health espouses for hospitals are those which help any other business to operate successfully. They are to try to improve service, watch costs and make efficient use of personnel. That in no way entails that patient care will suffer. Quite the contrary. Hospitals will have more to offer if operated more efficiently and cost-effectively.

What is threatening the system instead is the growth in the volume of services and the resultant strain on our ability to finance them. These are subjects we have been talking about repeatedly throughout the autumn and early winter.

I know members are familiar with the figures. In five years, health costs in this province have soared upwards by nearly 70 per cent to \$5.7 billion this fiscal year. Eight million dollars a day is spent running the hospitals. That is 50 per cent of our total health revenues. Health revenues account for 30 per cent of the total provincial budget. So we are looking at nearly 15 cents of every dollar in provincial revenues being used to keep hospitals operating. The sacred trust we, as the Ontario public, have invested in hospital trustees and administrators in spending even larger sums must be manifested in greater responsibility and accountability by them.

Mr. McClellan: You do not believe a word of this.

The Acting Speaker: Order. The member for Sudbury has the floor. Please give him leave to complete his statement.

Mr. Gordon: Our plan, as the Premier indicated to the Ontario Hospital Association, is to give the hospitals increased financial flexibility through a relaxation of central control. The incentives are designed to expand the revenue sources open to hospitals, in a phrase, to rest the financial fate of hospitals more and more in their own hands. Members know this but seem ever ready to forget.

In addition to growth pressures, however, we face the spectre of reduced transfer payments from the federal government. These reductions could amount, according to Treasury estimates, to as much as \$1.8 billion for Ontario alone over the next five years. Given the lion's share which health takes of the provincial pie, the health care system cannot help but be affected by these proposed cuts.

4:10 p.m.

However, returning to the motion before us, I note it also "condemns the government for fundamentally undermining universal hospital care, contrary to principles and agreements outstanding with the federal government." Absolutely not!

The proposed actions of the federal government, per our mutual agreements and principles, are attempting to undermine the health care system as well as the post-secondary education of the province. We are not undermining the system through our agreements with the federal government, nor is there any discrepancy in what the Premier or the Health minister said regarding user fees. For the present, we have rejected user fees as a revenue-

producing step. No entrance fee, another name for user fees, will be charged. And no hotel charge on standard meals will be instituted.

The incentive for hospital managers to charge more for semi-private and private rooms is not a user fee, although the honourable members persist doggedly in that contention. One might easily call it, "a surcharge on the rich," although that would be wrong too. This new flexibility will not in any way jeopardize the accessibility of health care—

Interjections.

The Acting Speaker: Order. The honourable members will respect the fact that one man has the floor. The interruptions that are continuing and persisting have been called to order many times. Please give some respect to the speaker.

Mr. Gordon: This new flexibility will not in any way jeopardize accessibility of health care for any person in Ontario needing hospital treatment. I want to stress this, just as the minister has been stressing it these many days.

It appears the honourable members of the loyal opposition have no valid objection, and their condemnations are misplaced and misguided. I submit this government has renewed cause to have less confidence in the capacity of the opposition to function with sagacity and, of course, moderation.

Mr. Breagh: We just heard one pro speech; we do not want to hear another one.

Mr. Van Horne: Mr. Speaker, it is a pleasure for me to join in the debate on this resolution from the leader of the third party and, in spite of the interjection of the member for Oshawa, to speak in support of it. I am gravely concerned about what I perceive to be a very stubborn ministry. It is not showing us any signs of a long-range plan to accommodate the financial demands put on it day to day by our hospitals and, for that matter, by the needs of the people in this province in general terms of demands for a health care system.

I joined others in the emergency debate on December 3. I doubt whether what will be heard in this chamber today will vary much from what was said about two weeks ago. It is worth repeating one or two of the main themes that came out in that debate on December 3.

I believe our New Democrats called this a "bed sale proposal" made by the government. I could not agree more. I would add that this government saying one day, through the Premier, to a group of people responsible for the operation of our hospitals that we should not

have to worry about user fees and then having a form of user fee introduced by the minister himself two days later, is a form of bumbling, two-faced duplicity. If that is not duplicity, I do not know what is.

Estimates debates are something which we as members in the opposition hold on to as one avenue for us to query the minister and his senior staff as to why they are putting their dollars in the places that they do, and also give us the opportunity to ask them questions about their policies.

We do not get into that kind of detail, generally speaking, in the House. My understanding of the estimates procedure is that the opposition parties had to struggle to get the number of hours for estimates to the point where they now are, and to get the routine to where it is now, because the members of the opposition felt that they had some part to play in the process.

Aside from giving us the opportunity to ask questions and get some answers, it really does not do a darn thing in so far as changing the direction of government policy or the direction of government dollars is concerned. I would submit that the evidence of the futility of the exercise comes when we look at the announcement this government made two weeks ago about the bed proposition.

Hon. Mr. Timbrell: One week ago.

Mr. Van Horne: The minister says it was one week ago. We finished on the day prior, Tuesday, December 1, the estimates of the Ministry of Health, having spent approximately 16 hours in debate.

Then there were questions from me and my colleagues in the Liberal Party, and there certainly were questions from the member for Bellwoods (Mr. McClellan) and his colleagues in the New Democratic Party. For us to walk out of those estimates with some kind of assurance that we would not be encountering the prospect of user fees, to find out the next day that in fact we are, I think puts the estimates process in some kind of a shadow.

They really are not very helpful to members on the opposite side. Why does the government not face up to the estimates and use it as an opportunity to level with us about some of their planning?

Interestingly enough, in the course of the estimates the minister did indicate to us that this year the Ministry of Health was working with a new two-phase program, if I can use the

minister's words, to try to get a handle on the budget process, and I want to quote from part of that comment he made to us.

As I understand it from his comments, and I am quoting now from Instant Hansard, "phase one being the budgets for the existing approved operations, and for those the hospitals have to date had approved." He goes on to say, "12.1 per cent increase, which figure by the way, applies to their entire budget." Then he goes on to talk about phase two of this new proposal. "The phase two budget was intended, as was explained to the hospitals, for them to identify where in their operations they were experiencing uncontrollable growth which would necessitate the addition of further staff, or failing staff, the next . . . cost, and related to supply costs, where they wanted to start new programs."

The date of this again is December 1, when we hear from the minister that this year they are trying to get a handle on the budget. We have heard time after time from the minister, and from other government members, that the Ministry of Health is the biggest dollar user of all the ministries here in the province.

We know that. A person does not have to be a genius to understand that. We look at the numbers. The biggest numbers are those attached to the Ministry of Health, but I would submit to members that we do not measure the productivity, we do not measure the goodness, we do not measure the bottom-line number, strictly through dollars. I think we have to take a look at a variety of factors.

What are those dollars doing? Are they being used properly? Are the people involved with the using of them getting the service they should? Are the people delivering the service happy? There are a whole series of questions that can be asked. Let us not delude ourselves into thinking that the biggest buck means this ministry is the very best in terms of its bottom line. I would have to submit that the minister would agree to that. Otherwise, he would not have gone along with this two-phase proposal this year to get a handle on it.

Time after time, we on this side of the House have said to the government: "Look, why do you not have a long-range plan? Tell us what your long-range plan is. Help us to understand what your plan is."

4:20 p.m.

A couple of years ago I brought a private member's bill into this House and had it debated. It was blocked. The government would not even vote on it. The purpose of that

bill was to try to make the government accountable in the budgeting process and show us some long-range planning in the budgeting process.

I am saying to them now, and I am saying to the minister now, that what we have in this proposal by the government is another form of user fee. It is an attempt to get the budget problems of the ministry in some kind of line; it is an attempt to address a dollar problem they have. But I would have to submit that in doing this they are chipping away at the very foundation on which our health care system in Ontario is based, and that foundation is universal availability to every person here in Ontario.

I submit to the minister that when he brings in a system such as this he is in fact making a two-tier system of health care in our hospitals. In the debate on December 3, I gave some evidence to support my statement. I indicated that researchers in our party had contacted some hospital consultants and that when we asked them how they reacted to this the response came to me and to one of our consultants, in part, that this sort of thing existed 10 years ago.

Let me go back to the Hansard of December 3:

"One of the persons we talked to gave us this example. Ten years ago, the old Mount Sinai Hospital had its tenth floor reserved for private patients. Interns were not allowed on that floor nor were teaching staff. It was run like a hotel. People we talked to this morning pointed out there were other situations in hospitals in other parts of Toronto, let alone other parts of Ontario." Examples given to us were the Wellesley, Women's College and St. Michael's hospitals, to name three others here in Toronto alone.

If that situation existed 10 years ago and we got away from it, I would submit to the minister he is now leading us right back to it. He is leading us right back to where we were 10 or 15 years ago. I cannot understand for the life of me why such a short-range, destructive proposal would be put to us by the Ministry of Health.

I do not want to use all the time of our party, because there are other members who want to speak. But I do have a couple of questions I would like to leave with the minister, and I hope he will attempt to address some of these questions in his comments later on this afternoon.

The members on this side of the House, and I again have to give credit to the member for Bellwoods, have asked on many occasions about problems such as we have had at the

Queen Street Mental Health Centre. I realize that is slightly removed from the thrust of this resolution, but I think the intent of members on this side of the House to get the government to do more than plan through polling is a very sincere request from us to the government to go to the people and say, "Tell us, through a public inquiry, what is right and what is wrong with the state of the union, with the state of the ministry."

I would submit to the minister we may well be at the point where we take not just the Queen Street Mental Health Centre, not just the concern of psychiatric hospitals here in Ontario, but the theme of hospitals in Ontario generally and open the whole business up to a public inquiry.

The minister may shake his head and wonder if that would be feasible or reasonable. I have to advise him that in a small survey I did in the hospitals here in Ontario I got about a 70 per cent response from the hospitals, which answered questions about problems they were having with elective surgery and the amount of waiting time required. I gave them an opportunity at the bottom of the questionnaire form to indicate their major concern. The major concern that came back to me time and time again was dollars, planning and budget problems.

It is a universal problem and I have sympathized and empathized with the minister on many occasions, but I will be critical at the same time, because I do not see evidence of a long-range plan that will address itself to meeting the dollar needs of the Ministry of Health. I would have to submit again that the proposal made a week ago to let hospitals charge whatever rates they wish is not going to meet the need.

To encourage them to use their entrepreneurial skills is a laugh. I do not mean that in any way as a demeaning comment about hospital administrators. They have been very skilful in struggling with their problems over the years, but I have to submit that we should not turn them into schemers who will try to make a buck rather than concerning themselves with the system they are operating.

I have a couple of other questions and then I will stop, questions I would like the minister to consider. With respect to his new policy on hospital finance, perhaps the minister would clarify who is accountable for ensuring patient accessibility. In his statement to the Ontario Hospital Association on December 2, the minister stated: "The rates hospitals may charge for

private and semi-private accommodation will no longer be strictly controlled. You will be able to set your own prices for preferred accommodation based on local conditions." However, the minister also said hospitals can increase the number of preferred rooms and cut back on ward beds "with the approval of the ministry."

As I understand it, section 29 of the Public Hospitals Act says the minister, subject to cabinet's approval, makes regulations regarding "the classification of patients, and the lengths of stay of and the rates and charges for patients." Who can we hold responsible? Will this new policy, as we fear, reduce the proportion of standard wards to the point where not enough ward space is available and the patients needing so-called elective treatment are put on standby? In other words, who do we blame if the system fails: the minister or the hospitals?

Supplementary to that, the minister specifically told the House that out of a total saving of \$20 million related to his proposals for more businesslike management, hospitals can save \$10 million by cutting subsidies on cafeteria food. Has the minister not also estimated the added revenue that will come from the conversion of wards to preferred beds and from higher rates, presumably another \$10 million?

What assumptions about the number of ward beds to be converted to preferred care and higher rates went into his estimates? Will the minister also tell us how he came up with his estimate of the additional revenue hospitals will raise from the conversion of ward beds and higher rates? Is he prepared to table with us the documentation he has for the numbers he came up with?

In the estimates process, I started by asking the minister, as did my colleague the member for Renfrew North (Mr. Conway) when he spoke in the estimates a year ago, if he could indicate to us that the health care system was really a priority, and I say again not a priority in terms of dollars but in terms of what it has been trying to achieve, how it is trying to get there and in terms of its long-range planning.

I do not see it through actions such as this. I see this as destructive, nonproductive and hurting the people who are least able to pay. It will lead us back again to the two-tier system we had 10 years ago, and that bothers me greatly. I hope the Ministry of Health will reconsider but I doubt it will, because there is a degree of stubbornness built in. No matter what we suggest, the minister will not change. I hope he will listen and I hope he will change.

4:30 p.m.

Mr. Philip: Mr. Speaker, I want to speak for only five minutes because I would like to leave as much time as possible for our excellent health critic, the member for Bellwoods (Mr. McClellan), to deal with this topic in a more general way.

However, as a member of the board of governors of Etobicoke General Hospital, and as somebody who has been deeply concerned about the health care system in this province and in our community, I would like to tell the House some of the questions and problems I see, because the minister's new policy will affect us in a direct way at our hospital.

The pressure in our hospital is already on ward beds. Many of the private and semi-private beds are currently used for ward patients. For us to convert more ward beds means absolutely nothing in terms of additional revenue because they will still be used as wards and will incur debts. The minister's proposal means absolutely nothing in terms of additional revenue for our hospital.

Etobicoke General Hospital already has a \$30 million operating budget and we have had no deficit for the last five years. I feel that can be attributed to a large extent to the extremely efficient management system and staff of our hospital. The minister's recent statement seems to indicate hospitals will have to rely less on public funding and more on semi-private or private user fees. For us, that may well mean that for the first time we will have to move into deficits.

We have done all the business necessary to make our hospital one of the most efficient, if not the most efficient, in the province. Our management has done cost-cutting studies which we have implemented. We have been at the forefront in the use of computer analysis to make our hospital as efficient as possible.

We have an efficient hospital already. There is no more to cut. There are no more efficiencies we can possibly be expected to build into the system. Any attempts our officers have made to try to clarify what the implications are for hospitals have met with dead ends by ministry officials.

When one of our hospital executives asked a ministry official at the Ontario Hospital Association meeting where the minister got his 17 per cent increase for hospitals, he said: "A couple of hospitals got that. Also, what is included are chronic care, nursing homes, the air ambulance and so on." When we look at our hospital, we

are talking about an average increase not of 17 per cent but of 12.1 per cent. That is how efficient we have been.

We are going to have serious problems unless the Ministry of Health funds the arbitration awards and picks up the annualization of those recent arbitration awards.

Hon. Mr. Timbrell: We have.

Mr. Philip: The minister has not said he will pick it up in the future.

Hon. Mr. Timbrell: Mr. Speaker, on a point of order: We announced in July a further \$118 million for the hospitals for those awards.

Mr. Philip: Just on what was done; that is just for this year.

The Acting Speaker: It is not a debate. There has been a point of order.

Mr. McClellan: What do you mean it is not a debate?

The Acting Speaker: There is no back and forth dialogue. The member for Etobicoke has the floor.

Mr. Philip: I am trying to point out to the minister that to our hospital the arbitration awards mean not only costs for this year but future costs. The ministry will have to pick that up or we will have very serious financial problems.

While we may not face the immediate threat of cutting back on services the way in which I understand Queensway General Hospital and Humber Memorial Hospital have indicated they may have to, we are still faced with some serious problems as a result of the actions of this government in introducing what amounts to a user fee system on sick people.

Mr. Dean: Mr. Speaker, as a citizen of Ontario and of the great riding of Wentworth, I am justifiably proud of our province's health care system. It is second to none. To listen to the comments made by certain members on the other side of the House makes me disappointed in them. I thought better of them. Not only am I disappointed, I am a little annoyed.

Mr. Laughren: Temper, temper.

Mr. Philip: You have to be awake and standing to be annoyed. You've never been annoyed yet.

Mr. Laughren: Throw him a cookie.

The Acting Speaker: Order.

Mr. Dean: This is controlled annoyance, not temper. The phrase they have been mouthing, profit-motivated health care, annoys me because

they know as well as I do the real focus of our health care system is the patient, not profit. It is the patient who motivates all the actions of our health care system.

Everyone in Ontario has the right to have access to our medical system and our health care workers provide them with the finest care available. However, the size of our province with its geographic and human diversity necessitates a variety of approaches to delivering health services. The structure of services in Metro Toronto, for example, is different in many respects from that of other centres in other parts of Ontario.

Mr. Wildman: It is certainly different from Chapleau.

Mr. Dean: It has to be that way. As a result, the nature of our system makes it a costly one. For example, this year we will spend almost \$60 million in transfer payments for ambulance and related emergency services alone.

People living in northern Ontario, maybe even in Chapleau, have access to air ambulances based at Timmins, Thunder Bay, Sioux Lookout and Sudbury. I know my colleague from the great riding of Sudbury and his constituents would not accept a health care system that did not supply this type of service to all northern residents. Each of us as a taxpayer recognizes the need for such services and we are willing to pay for them.

However, as consumers of the health care system, we want to get good value for our money. There is nothing wrong with that. We entrust governments with the responsibility of providing such services to us. In return we expect our financial and human resources to be put to their best use. In business it would be called efficiency. I do not know whether we can use that word with the approval of some members opposite or not.

A fine example of this utilization to the best of our ability is the development of our district health council program. Under this regime local people look at the services available to determine if they are being put to good use and make recommendations designed to improve the network of care.

In my riding, which is part of the Hamilton-Wentworth health district, the district health council has come up with an innovative proposal that will go a long way towards improving health services in the eastern end of Hamilton-Wentworth.

I will explain this briefly. This special part of Hamilton-Wentworth has had some shortcom-

ings in terms of its ambulance, nursing home beds, community mental health and other services. While there was the possibility of rebuilding Hamilton General Hospital in this area, the district health council at the minister's request has established a task force to develop alternative proposals for community facilities that could integrate a wide variety of services.

This committee has recommended the establishment of a community health centre that would have emergency and outpatient services which would be extensions of existing programs. In addition, the centre would offer public health services; Meals on Wheels services to those who need them and the reverse, wheels to meals, to take people to a central place for this auxiliary meal program; geriatric care; diabetic day care; audiology and speech pathology services. The administration of this centre would be the responsibility of one of the local hospitals. There are no such centres of this type in Canada as yet.

4:40 p.m.

I am confident the minister shares my enthusiasm for the proposal and will give the project his speedy approval. It is this kind of unstinting effort and devotion to new concepts and methods that characterizes our health care system when we are trying to provide the best possible care at the most thrifty cost. District health councils do exist to assess and develop programs and services that are geared to the needs of local communities. It is this type of planning and rationalization of services that keeps the system responsive and keeps costs in line.

Earlier this year the minister announced that \$15 million would be spent over the next five years to establish regional paranatal programs. This program will be of enormous benefit to Ontario families. Prevention and treatment will not only save lives but will improve the quality of life for families and their children.

Over the last few years our health system has been undergoing a variety of changes in response to the needs of its consumers and, in recognition of the fact that fiscal responsibility makes long-term economic sense, it is a must. Our home care and chronic care programs are perfect examples of deinstitutionalizations that are both beneficial to those people recovering from illnesses and methods to alleviate some of the pressures on our hospitals. Given the choice, would the members not prefer to recuperate from their illnesses at home? Or maybe they do not have any illnesses to recuperate from.

Programs like this illustrate how flexible the ministry is in developing community health services. The resources of the community are there for our benefit. I think they should be developed and used. Not only should existing resources be used but prevention and physical fitness programs should be promoted. People are becoming a lot more conscious of what they are eating and of the need for regular exercise.

What is the cost to the system, and to us as the people who are supporting the system, of the needless abuse of the system by people who smoke or drink excessively, take drugs, or abuse their minds and bodies in other ways? In many instances, it is the individual who determines whether or not the system is abused.

A survey done by Statistics Canada in 1978 indicates that regardless of the income level, Canadians spend a greater proportion of our money, on the average, on smoking, alcoholic beverages, transportation and recreation than we do on medical and health services. What it all boils down to is priorities. What is our overriding motivation? The overriding motivation is to provide the best health care service at the best possible price. How can anybody possibly consider that to be profit-motivated? It is much too simplistic and partial to look at our health care system in this way.

As was mentioned by the previous speaker, our hospitals do already receive the lion's share of our health dollars. They are a visible community symbol of our medical system. There have been marvelous technical advances made to promote health care in the way of computerized axial tomography scanners, nuclear medicine, ultrasound equipment, and so on. These are proof that Ontario is not lagging in providing improved diagnostic services to everyone. New developments come on stream regularly, but while we are taking care of the treatment of patients we cannot afford to ignore the financial structure we have given our hospitals.

When the minister gave his speech to the Ontario Hospital Association he said the structure and the sources of money available to hospitals are going to be improved and changed to give them additional financial flexibility to meet their expenses. The very next day the leader of the third party tabled a no-confidence motion in the House, whining that the new changes are going to be a threat to the health of Ontarians. Some of the members over there see all change as a threat.

We are in a situation where we must look at all aspects of our health care services. In terms

of funding, hospitals are the largest component of our health care system. What would those members have us do? Should we just ignore them? Our health system is going to be changing in the next few decades. The changes outlined by the minister are designed to alleviate present funding pressures and to put our hospitals on a more rational financial basis over the long term. The measures do not come into effect until April 1982, giving a few months notice for hospital boards to come up with their own approaches and suggestions.

Public demands for more health care services may be limitless but the public purse is not limitless. As of the end of March 1982, as all members know, our present arrangements with the federal government regarding extended program financing will expire. Ontario may lose a lot of federal dollars. There is no point in waiting around for the outcome and then deciding what we are going to do. The reasonable, rational, responsible thing to do is act now, and we have done that.

I have yet to hear a rational proposal from the members of the third party outlining what its members would do to control health costs. I am forgetting myself. That party is very good at spending money, but not much concerned about raising it. The taxpayer is under a lot of stress. Although the government is not a limitless source of revenue, we have always responded to the legitimate needs of the system. We have increased hospital funding by 17 per cent this year. This is not undermining hospitals. This is not undermining health services. This is recognizing and responding to the health needs of every man, woman and child in Ontario.

Let us see what happens when the new initiatives are started, and let us assess what happens. I would venture to say the results will be more positive than some members seem to think. If they claim to be the champions of our health care system, then why do they not give our hospitals the support and encouragement we give them? There is no validity to the assertion in this resolution that Ontario is being returned to a profit-motivated health care system nor is there any validity to the scare tactic that the health of our citizens is being threatened. As I stated earlier, the truth is quite the reverse.

This government, through the Ministry of Health, continues to support innovative ways of funding and delivering health care to all of us in Ontario so that together we can assure an adequate, universally accessible, top quality

health service. All members concerned about maintaining such good health care in our province will oppose this resolution of no confidence.

Ms. Copps: Mr. Speaker, I am quite surprised the member for Wentworth would stand up and talk about the tremendous job this government has been doing in health care. Even in our own community, with the problems of chronic care beds, the waiting lists, the fact that the government has not made a commitment to purchase sufficient land in the east end area to expand and make a full-fledged hospital—the hospital issue was one on which that member sought election; he should be fighting in this House not only for an interim facility but for a long-term facility that would be another plan for the future rather than patching up as is the case of this ministry in the past.

Rather than talking about the government's point of view of what the government is doing, I would like to read a few clippings from newspapers over the past year or so which I think illustrate far more acutely than any of us ever could the very desperate situation we are in in health care in this province. The minister probably never spake a truer word than when he said, as quoted in the *Globe and Mail* on July 31, 1981, "I said to somebody the day I became Minister of Health that I knew from this point forward I would never be right again." Frankly, the mess this ministry is in is proving the minister's own words are correct in that one instance.

I will read from an article in the *Toronto Star* of October 9, 1981: "The tragedy of Lynda Clarke, a woman unable to get desperately needed psychiatric help until she killed her two young children, could be repeated again, psychiatrists say. Clarke was refused entry at four Ottawa hospitals last year because there was no room. Seven weeks later she killed her children, eight-year-old Kevin and seven-year-old Cathy, as they slept in their beds. Clarke was found not guilty by reason of insanity by the Supreme Court of Ontario last week. She now is receiving treatment.

"Clarke was refused admission into the Ottawa General where she worked because the psychiatric ward's occupancy rate runs at about 120 per cent. The other three hospitals that would not admit Clarke, the Royal Ottawa, Ottawa Civic and Queensway-Carleton, all reported occupancy rates of 90 to 99 per cent. Dr. Gerald Sawyer-Foner, chief of psychiatry at the Ottawa General, said the situation is getting worse.

'Certainly it can happen again, because if anything, the situation has become tighter, not better,' he said," and that is October 9, 1981.

4:50 p.m.

" 'We face this situation every single day and the truth is most of the time there is not a psychiatric bed in the city.' Dr. Selwyn Smith, chief psychiatrist at the Royal Ottawa Hospital, agreed. 'This could happen again. In general, nothing has changed and the occupancy rate is still far too high.'

"Directors at the other two hospitals agree there is a shortage of active treatment beds. Dr. Sunanda Bijoor tried to get Clarke into the Ottawa General, and said she did everything under the circumstances that she could to help her. Clarke first saw Dr. Bijoor in September 1980 because she was worried about her husband and feared he would hurt the children.

"She saw the Clarkes as part of a marital therapy program, but several weeks later decided Lynda needed a week in a psychiatric ward for assessment. No hospital was willing to admit her. A year later, Lynda called Dr. Bijoor again, about six weeks before the killing, and Dr. Bijoor prescribed anti-psychotic and anti-depressant medication. She tried to arrange another appointment."

Let us take a look at what the *Globe and Mail* of November 26, 1981, only a few short weeks ago, has to say about the situation of ex-psychiatric patients who have been deinstitutionalized. I know the minister has had this problem brought to his attention in this House by members on this side vis-à-vis the situation in Toronto, but believe me, if the minister thinks it is a problem only in Toronto, he is mistaken.

It is a problem that is growing across Ontario and unless he and his ministry decide to develop some mechanism to cope with it, we are going to face a very serious situation in the near future. I think that situation has already materialized in the kinds of horrendous goings-on we have seen very recently.

"A new survey has shown that almost 10 per cent of the beds for discharged mental patients in Toronto have disappeared in the past year and that another 150 are thought to be on the verge of being lost.

"The road back to health has not been made an easy one for these people. They are living in circumstances that would create stresses for healthy people, and their cries for help are barely audible to a government that has carved up responsibility for them among four ministries—Health, Housing, Labour, and Community and Social Services.

"In fact, the most responsive and concerned comments on the situation have come from a private organization, the Supportive Housing Coalition, which was formed last spring. It has just issued a basic plan to deal with the shortage, poor quality and uneven distribution of the accommodation in Metro, suggestions as to the support and supervision that should supplement the provision of beds, and an outline of how the system should be administered. If the government has an alternative plan we would like to hear it."

That is an editorial in the November 26 issue of the *Globe and Mail*. The editorial has clearly outlined that the minister, along with three other ministries, has completely abdicated his responsibilities. He has left the initiative to private groups who, in desperation, have come forth with plans to help these deinstitutionalized, ex-psychiatric patients make a better way in the world.

I would like to refer to another instance, which was reported in the *Globe and Mail* of July 28, 1981. It talks about a young man who was discharged from the Queen Street Mental Health Centre in the spring of 1978, and was sent to a boarding house in the Parkdale area of Toronto, a routine referral. I quote:

"In the next few months, there were four fires at the King Street West house. Caught and convicted of arson, the man was sentenced to 18 months in jail. When he was released before the 18 months were over the hospital referred him to Elizabeth Fortune's boarding house on Beaty Avenue. About two months later, gasoline in hand, he threatened to burn it down. 'I had no idea that he was an arsonist,' Mrs. Fortune said in an interview. She sent him back to the hospital. It was October 1979. Within a day or two, the hospital referred him to another boarding house.

"Carmen Carter, who owns the house at 103 Tyndall Ave., was told nothing about the past arson. Three weeks later, a blackened shell was all that remained of her brand new Volvo automobile. The episode left her bitter and she stopped taking patients from Queen Street. 'I live here and I just do not need the aggravation,' she said in an interview.

"The Ministry of Health, to which the Queen Street officials answer, will not allow officials of either the hospital or the ministry to be interviewed."

I could go on and on. This instance, which I am sure the minister is familiar with, was of a patient who had committed a series of arsons.

The account in the *Globe and Mail* of July 28 indicates many other times when this same patient was discharged into rooming houses that had no history of his background. And again, more fires were set and there was no follow-up.

Frankly, I think that from the point of view of someone who professes to be the Minister of Health this minister is not only not responding to the health needs of the general population at large but is actually adding to the stresses of an already troubled psychiatric community or ex-psychiatric community, which has to go out and try and make it in the working world.

The minister knows these people are subject to stresses under the best of circumstances, yet he has just put them out on the streets with no alternative but to return to some of the kinds of problems that put them in the psychiatric institution in the first place.

I would like to talk a little about paramedics, another service I am sure the minister holds near and dear to his heart. This subject has been raised in this House many times, and I am sure the minister will try to put upon me the fact that I have a very personal interest in this issue. Yes, I do have a very personal interest.

Hon. Mr. Timbrell: So do I.

Ms. Copps: If the minister does have a personal interest I wish he would do something about it, because at the time he is studying it and pilot-projecting it we have been asking, not only in this party but in the community, for paramedic services for many years.

There are people now in the ambulance service who are prepared to administer the kind of responsibilities that are already administered in Seattle, Washington, and if the minister were prepared to act, those paramedics have already been trained in the area.

It has actually been brought to my attention in the last week that his ministry hired an ambulance driver through GO Temp. If he does not consider that a total rejection of his responsibilities as the Minister of Health I do not know what else he can do. The fact is the minister has not acted on an urgent call by all the people in this province to bring in extensive paramedic care.

The member for Wentworth talked about the kinds of things that create health problems and health risks. He talked about smoking and drinking and other things. It is interesting to note in today's Liquor Control Board of Ontario statement, however, that this province makes about four times the revenue of anyone else, including the liquor producers, for every bottle

of liquor in this province. The government is certainly prepared to profit from it but at the same time they are not prepared to apply those profits to preventive medicine.

Hon. Mr. Timbrell: The costs of liquor are many times the profit, and you know it.

Ms. Copps: If the costs of preventive medicine are too high then do not have a member on that side of the House stand up and say the reason we cannot pump money into the health system is that people who smoke and drink bring it upon themselves.

Hon. Mr. Timbrell: That's not what he said.

Ms. Copps: I heard him. I wrote down the words he used. He said: "The problems relating to health are attributable to smoking, attributable to drinking, attributable to lifestyle." Presumably, if the minister sees those as the problems he should be looking at the solution, and that is changing the lifestyle.

From my perspective and the perspective of this party, that is called preventive medicine. I do not know what the minister would like to call it. He might want to put another dollar-and-cent sign on it and say it is too expensive. But do not lay the blame back on the population by saying because they smoke and drink the government is going to adopt a user fee philosophy in the hospitals, because that is exactly what they are doing.

In view of the fact the minister went to the Ontario Hospital Association and started talking about cost-cutting measures and business approaches, the next step is clear, and in Hamilton it has already happened: we have hospitals that have been forced to go out into the charity sector to get money for capital costs for capital expenditures.

The member talked about computerized axial tomography scanners. In our community we raised the money for a CAT scanner, and we could not even get a commitment from the ministry as to whether or not it would fund its operation, so do not talk about CAT scanners.

Hon. Mr. Timbrell: That was long ago.

Ms. Copps: That was in the last couple of years.

Hon. Mr. Timbrell: That was given long ago, so don't distort the truth.

Ms. Copps: I am not distorting the truth. The fact is we were prepared to go out in the community and raise the money for a CAT scanner. The minister would not even fund the operation. So he should not stand up in the

House and talk about how this government is bringing in CAT scanners and this government is doing all these tremendous things.

Hon. Mr. Timbrell: You don't know what you are talking about.

Ms. Copps: I certainly do know what I am talking about. If the minister is interested in knowing, why does he not call Paul Drage, who is the alderman in Hamilton who is very familiar with the CAT scanner situation, and he will give him the full story on the whole situation regarding CAT scanners and how this government has again abdicated its responsibilities.

5 p.m.

I would like to refer back to the notion of user fees. The minister has certainly been easing our population into the notion of user fees in a very gentle, albeit sneaky, way.

In the last couple of weeks the minister has also stated that he will now give hospitals the responsibility for reordering the number of semi-private and private beds in a hospital. If the hospital is going to reorder the number of private and semi-private beds in such a way that there are no longer ward beds available, whose responsibility will that be? Who will be picking up the tab for so-called elective surgery when people cannot get beds in wards because hospitals, out of financial necessity, are forced to move into private and semi-private accommodation.

The minister is shaking his head. That is a fact.

Hon. Mr. Timbrell: That is silly. You don't know what you're talking about so don't be so silly. You are just being plain silly. That's why people turn off you.

Ms. Copps: The minister is the one who is silly. I am sorry, but the minister obviously has not been in a hospital recently. If he thinks the situation in hospitals in this province is silly, then he has not been into the hospitals and seen the kind of pressure on cutbacks and job loads that the staff is suffering. I think they are doing as much as they can under the circumstances but certainly this government has reneged on its commitment to universal accessibility to health care.

If the minister talks about changing the quota of private and semi-private beds and doing away with ward beds in order to have private and semi-private beds that will bring in revenue and he will not restrict the amount of revenue charged in hospitals vis-à-vis private or semi-private beds, whose responsibility is that? If

there are not enough ward beds to service the people, who is going to take the rap? Is the minister going to dump it on the hospitals as he has tried to do in the past?

The government is taking the same tack with hospitals as it has with universities over the last few years. It has squeezed them until they are bone dry, it has cut through the flesh and is now hitting bone. Then it turns around and says to the hospitals, "It is your responsibility to set the ratio of ward, private and semi-private beds."

Take a look at the minister's approach to the Toronto East General Hospital situation. That was a single hospital with some administrative problems, but instead of moving in and dealing with that hospital, as he has refused to deal with the Queen Street Mental Health Centre problem that has been brought to his attention in this House on numerous occasions, and it finally took the death of an individual before he promised he would investigate—

Hon. Mr. Timbrell: We started eight months ago.

Ms. Copps: I realize the minister is waiting for Peat Marwick. He has all kinds of studies, I believe, and I think the people on this side of the House would agree, that if the minister wants to study Queen Street, he can study it to death; but if he wants the facts, why does he not read the Globe and Mail editorials, or talk to people who live in the community or to the psychiatric patients who were forced to come down to this House and stay in a tent last spring because the minister would not respond to their demands? I think it is a disgrace for a man who calls himself the Minister of Health to allow those atrocities to go on.

Let us get back to the situation at the Toronto East General. Rather than dealing with an individual situation and an individual problem, the minister thought it incumbent upon himself to move in and develop legislation that would allow the takeover of every hospital in Ontario. Talk about over-reacting. The minister could have introduced individual legislation to deal with the specific problem. Instead of concentrating his efforts on other areas such as Queen Street Mental Health Centre, the Hamilton east end hospital, paramedics and user fees, the minister chose to bring in all-encompassing legislation whereby he would simply take a mandate to step into any hospital in this province.

It is interesting that at the same time as he is developing this mandate for himself, the minister goes to the Ontario Hospital Association and

tells them that it is going to be their responsibility to develop budget-cutting procedures that will allow them to survive in the 1980s. It is their responsibility to develop innovative, charitable forays into the community so they can survive.

Frankly, I did not think we would ever see the day when this province would consider that its health care was a charitable cause.

Hon. Mr. Timbrell: Who said that?

Ms. Copps: I thought health care was supposed to be universally accessible to all people.

Hon. Mr. Timbrell: Who said that?

Ms. Copps: That is not my term.

Hon. Mr. Timbrell: It is your term.

Ms. Copps: That is the term the minister himself insinuated when he said hospitals are going to have to go out into the community and develop other funding sources. I do not know where the minister thinks they are going to go. I know most communities love to contribute charitably. I and my colleagues contribute charitably. We give to the United Way, the Canadian Cancer Society and the Heart Fund.

The moneys these people are going to be able to raise for other foundations are going to be diverted from other charitable institutions. The pot, as the minister knows, can only be spread so thin. For the minister to suggest we should be moving into this kind of user-pay, charitable-status situation for our hospitals is a disgrace.

Hon. Mr. Timbrell: I didn't say that and you know it.

Ms. Copps: That is the impression that has gone out to the public. If the minister did not say that, I would like him to stand up right now and tell this House that the notion of user fees, in any way, shape or form, is unacceptable to his government; that he will not allow any jockeying of semi-private and private beds in an effort to inflate revenues for hospitals, and that he will move in and start increasing hospital budgets at least to the rate of inflation so they can carry on a level of service we have not seen for many years.

I would like him to tell us that he will move in with a true commitment to health care in this province—a commitment to helping not only those of us who will go in for short-term stays, not only those of us who may have so-called elective surgery, but also those people who are in the chronic care situation, as was discussed by my colleagues the member for Erie and the member for Niagara Falls.

I would like him to tell us he will move in to

clear up the chronic-care-bed problem and to help those unfortunate individuals who have been deinstitutionalized with no other recourse. They have been basically thrown out on the streets with no support systems and no backups. The minister stands in the House and says he is waiting for a study from Peat Marwick.

Hon. Mr. Timbrell: What would you do? Act without any plan?

Ms. Copps: If he has been Minister of Health for as long as he has been, and he and his ministry do not have a plan for dealing with the deinstitutionalization, can I ask him why did he go ahead with his deinstitutionalization plan with no follow-up? Is he so shortsighted that he thought he would send them out on the streets and see what happened? That is exactly the situation, as he has stated today. He did not have a plan. It is those poor ex-psychiatric patients who are now paying for it, not only in Toronto but across the province.

If the minister does not have a plan, it is about time he got those people together in his ministry who are being paid to develop future health policies, dropped the Band-Aid approach he has adopted to date for health care, dropped this hammer-heavy approach he used in the Toronto East General Hospital situation, and started responding to some of the true problems raised by the Ottawa Citizen, the Globe and Mail, the Toronto Star and the Hamilton Spectator.

It is not the member for Hamilton Centre who is raising these issues; it is the people of this province who see a health care system that is deteriorating and a minister who admitted today in the House that he has no plan—

Hon. Mr. Timbrell: Nobody asked me questions.

Ms. Copps: The minister was asked why he did not do something with these deinstitutionalized patients. I said he was waiting for Peat Marwick and he said, "What would you do? Would you have me proceed without a plan?" In my reading of it, it is the minister admitting he has no plan for deinstitutionalization of patients.

He came in with a tremendous fanfare at the time that he was going to deinstitutionalize. These people were going to be reintegrated into the community—

Hon. Mr. Timbrell: You don't know what you are saying. You keep quoting speeches I never made.

The Acting Speaker: Order.

Ms. Copps: The speeches I am quoting are not speeches, as a matter of fact. If the minister

had been listening, the only speech of his I quoted from was when he said he knew he would never be right again once he took over the ministry. That is probably the only thing I have quoted from him. It is probably the only thing he has ever got right in terms of his ministry.

I am actually quoting from the fine writers of the *Globe and Mail*, the *Ottawa Citizen* and the *Toronto Star*. If he has questions about their validity and veracity, I would suggest he address a letter to the editor, because the message that is getting out to the people of this province is that not only this ministry but three other ministries specifically involved with the treatment of ex-psychiatric patients do not have a handle on what is happening.

We have a province that is very fearful in terms of the whole opting-out provisions of the Ontario health insurance plan. We have a province that sees the health care system eroding, and we would certainly ask the minister to do something about it. That is why we have to support this motion.

5:10 p.m.

Mr. McClellan: Mr. Speaker, the no-confidence motion that my leader has moved this afternoon has four parts to it. We talk about broken promises; we talk about profit-motivated health care; we talk about discriminatory hospital services, and we talk about breaking federal-provincial agreements. If I have time, I would like to deal, at least quickly, with each of those points.

Let me start with the broken promises. Where is Bramptonocchio, by the way? Where is the Pinocchio of Ontario politics during this debate? Where is the man who said on the Monday, and let me quote the headline from the *Toronto Star* again, "Davis rules out user fees for hospital beds"? Where is the man who said, "For the present, despite press reports, we have rejected new user fees for hospitals as a revenue-producing step"? The background to that statement was the threat by the Premier's own Minister of Health to impose "modest user fees."

Mr. Bradley: It was all orchestrated.

Mr. McClellan: Of course it was orchestrated. The minister said in his Ottawa Kiwanis speech on September 11, "Beyond controls, we may have to contemplate raising additional funds from within the system itself, including employing modest user charges as already developed in some other provinces."

Then, having set that stage, the Treasurer (Mr. F. S. Miller) started running around Ontario saying, "Cutbacks are coming. Cutbacks are coming from Ottawa. We have only three options: we have to raise taxes, we have to cut services, or we have to impose user charges." He made that speech all over the place.

Then the rumour started to come out of the Ministry of Health that they were going to impose user charges of \$4 a day in standard wards. Then our hero from Brampton, Bramptonocchio, came to the Ontario Hospital Association convention and said, "Oh no, there will be no user charges."

Of course, we should be grateful because we do not have \$4-a-day hospital user charges on our wards. Instead, we have what the minister announced 48 hours later, breaking the Premier's promise not to impose the user charge, which is that the ceiling would be taken off private and semi-private beds, and hospitals would be free to convert ward beds into semi-private and private beds. They were then instructed to solve their operating-deficit problems through the sale of those converted private and semi-private beds.

Just in case we are confused about what a user charge is, let me quote from the Ontario Council of Health's 1979 report on user charges. "The phrase 'user charge' includes such synonyms as deductibles, balanced billing, utilization fees, authorized patient charges, medical-fee extra billing, participation fees, co-insurance charges or deterrent charges." What the Minister of Health was talking about on Wednesday when he made his speech was user fees, and there is no other way to put it. The promise was shredded within 48 hours.

I would say again that one of the most unsettling things that I have seen since I have been elected is that the Premier would say deliberately on a Monday what he knew his Minister of Health was going to repudiate within 48 hours.

The second point is the profit-motivated health care, which the parliamentary assistant was trying to wish away. Well, I am sorry, but the profit-motivated health care is the very guts of the Minister of Health's speech to the Ontario Hospital Association on December 2.

Hon. Mr. Timbrell: Where do you read "profit"?

Mr. McClellan: I am going to read it right now. The minister said we have to have a bottom line; he said we have to borrow from the private sector. On page four he said: "We are in

the business of health. The 'product' we are working to create is the best possible quality of care for the citizens of Ontario." Then he talked about the four elements of his new system.

First, there is the retention of net earnings by hospitals. I must be really unsophisticated. I would have thought that meant profit. Does the retention of net earnings not mean profit? Would the minister not say, as a businessman, the retention of net earnings means profit? Would he not consider talking about new opportunities for maximizing revenues to be somehow talking about a commodity he has to sell—gross sales? We are talking about the sale of hospital beds to sick people, and we are talking about letting hospitals keep the profit from those sales. That is what the minister said. That is what the concept is all about.

This would put an end to the hospital deficit. If a hospital wants to avoid having an operating deficit, the Minister of Health is saying: "Okay, here is how you do it. You convert ward beds to private and semi-private beds. You set the price according to what the traffic will bear. You sell those beds to sick people and we will let you keep 100 per cent of the revenue or the profit." That is what the new policy is all about. There is no nice way of disguising it. That is simply what the new policy is all about.

In the resolution we talk about "discriminatory hospital services." What we mean is that the Minister of Health is imposing a two-tier class system on our health care system in Ontario. That process is already well under way. I will talk about that, but I want to talk for a second about the effects of the new policy with respect to private and semi-private beds. There are two obvious effects that place patients who are limited to medicare coverage at a competitive disadvantage with patients who have the luxury, the means, the wealth to be able to afford private or semi-private coverage.

Firstly, there is the matter of elective surgery. There is tremendous pressure being placed on our hospitals by this new policy, the pressure of no more deficit. They have to raise the revenue themselves. They have to sell their beds, among other things, to meet their operating deficit. The reality is that when it comes to a choice between a patient who requires elective surgery and can pay private or semi-private, and a patient who requires elective surgery and is covered by medicare and nothing above medicare, there is a competitive disadvantage; there is a pressure on the hospital, a structural

pressure on the hospital to choose the wealthy patient over the medicare patient. That is two-class medicine.

The second obvious illustration of the two-tier system that comes to mind immediately is what happens this summer when we go through the regular round of summer bed closures and we have patients in emergency corridors waiting for a hospital bed. The Premier said, "Oh, they will all be chosen on the basis of medical necessity and medical emergency." Does the Premier not think somebody who is waiting in the corridor of an emergency ward for a hospital bed has anything other than an emergency? They all have emergencies; they all have urgent medical necessities. That is why they are waiting in a corridor in the first place.

How will the hospital choose which one to admit first, all things being equal? All things being equal in the case of elective surgery, the pressure is on the hospital to choose the patient who can pay more money. I say that setting up a structure in which hospitals are faced with the dilemma of choosing between richer and poorer patients on the one hand or incurring operating deficits on the other is an obscenity and a fundamental violation of the principles of medicare and of universal access.

5:20 p.m.

Mr. Laughren: I'm surprised the minister didn't have an auction.

Mr. McClellan: And how are they going to set the price for the beds, speaking of auctions? Are they going to charge what the traffic will bear, and base the prices on the going rate in a hotel or motel in the town? I think it is an incredibly dangerous adventure the Minister of Health has launched us on.

When we talk about discriminatory hospital services, as I said a moment ago, we are already well down that road. Extra billing is a form of discrimination. We know from the Wolfson study that extra billing is a regional phenomenon. It affects some communities worse than others; it affects some neighbourhoods worse than others. We know that almost a quarter, 24 per cent, of our specialists in Ontario have opted out of medicare, and many communities have no access to specialist services within the insurance plan. That is a discrimination between those who can pay and those who cannot pay. There is no nice way of putting it: that is two-class medicine.

The Minister of Health allows opted-out doctors to send their charity medicare patients

to the hospital, and if they are seen by an opted-out doctor in the hospital the bill can go directly to the Ontario health insurance plan. So what is happening, according to Professor Wolfson, is that opted-out doctors are seeing their wealthy patients in their offices and their charity medicare patients in the hospital clinic. They have the best of both worlds. That is called two-class medicine in Ontario.

They also have the discrimination of cutbacks, the barrier of cutbacks. This is a regional phenomenon. The cutbacks fall unevenly on different communities and on different categories of people. Since March 31, 1979, there has been a net reduction in Ontario of 335 beds. I believe my calculator does not lie. I am using the minister's figures. I added them up twice on my little pocket calculator, and from March 31, 1979, to August 31, 1981, the number of beds has declined from 90,517 to 90,182, for a net loss of 335 beds across the province.

In some communities there has been a serious reduction in the number of active treatment beds in our hospitals. In other communities we have emergency situations with respect to the lack of long-term-care beds, chronic care beds or extended care beds in nursing homes or homes for the aged.

We had a coroner's inquest a few days ago into the death of a Mr. McCaughey at the Beverley private hospital. It is an unpleasant thing to have to say, but it illustrates in the most severe and extreme way what I am talking about when I speak of discriminatory services. It was the luck of the draw that got that poor man into that bad hospital because of the absence of long-term beds in Metropolitan Toronto. It was his bad luck and misfortune, in the absence of a co-ordinated placement service system in Toronto and in the absence of a sufficient number of quality long-term-care beds, to get a placement in the Beverley private hospital.

That was his personal tragedy and also a reflection, in the most extreme way, of the kind of discrimination I am talking about. Other people in his situation, all things being equal, will end up in a first-class facility. That poor man did not have that luck and that poor man is dead.

The minister makes promises about more and more beds, and those promises turn out to be ephemeral. The minister promises he has approved 1,000 nursing home beds. He said last week in the Legislature, "Mr. Speaker, we have added 1,000 nursing home beds to the system." I

asked him how many of those 1,000 beds are in place, and, since he knew I knew, he said "223." Then he got mad when I was sarcastic with him.

The minister is the one playing a game; he is the one trying to pretend he has beds that are not there. He tries to take credit for beds he does not have. He makes speeches where he claims he has 6,800 new beds he does not have. He claims he has put 650 new chronic care beds in Metropolitan Toronto, and when we look at that, we find a lot of those beds are simply transfers from one institution to another but the minister claims they are new beds. He closes 100 beds here, reopens them there, and says he has added 100 beds to the system.

The result is that the shortage of beds continues, the discriminations continue, the tragedies continue. I do not have time—I have less than a minute left—even to begin to talk about Queen Street Mental Health Centre, the provincial mental health centre for working-class people.

Mr. Gordon: You put your foot so far in your mouth already that you can hardly get it out.

Mr. McClellan: What is your problem? You think things are fine at Queen Street, do you?

Mr. Gordon: You have got a big foot.

The Acting Speaker: Order.

Mr. McClellan: Let me just finish with the comment of the president of the medical staff at Queen Street. He has described that hospital, and I will simply conclude on this note. He says the loss of psychiatrists that that service needs is now approaching the equivalent of one of the geographical service's total psychiatric staffs, in other words, 25 per cent. He says the result of the loss in medical staffing is to turn Queen Street Mental Health Centre into an impotent, typical second-class custodial-care facility, in which treatment of patients will have no meaning at all.

That is not a comment from an opposition politician, that is a comment from the president of the medical staff of a provincial psychiatric hospital in Ontario, dated October 22, 1981. That is second-class care, Mr. Speaker, and that is what this debate is all about, and that is what the record of this Minister of Health is all about.

Mr. Conway: Mr. Speaker, I believe I have about two minutes. I just want to touch upon one point in this debate, because it does concern me a great deal, not only as the former health critic of the official opposition but also as a member for an eastern Ontario constituency.

One of the observations that has been con-

veyed to me by a goodly number of the citizenry and health care providers in Renfrew county is that over the past 10 years the public health care system has eliminated many of the economic barriers that were in place, as a result of the marketplace economy that was dictating much of the delivery of health care services in my part of the province prior to 1957, when the hospital insurance program began to take effect, and 1968 with the Medical Amendment Act.

I see it as the greatest achievement of the public presence in this very vital sector that the ghettos of the province and the country have been largely eliminated. These were ghettos where, quite frankly, the local communities were just not able to afford to fund to the same degree as were other parts of the country and the province more blessed by economic circumstance. So a very fractured two-tier system developed. This government and other governments undertook—for whatever reasons; not all of them positive if some of the literature is to be believed—to eliminate those uneven standards, to remove the ghettos, to recognize that the marketplace was simply not at all effective, or a profit determinant, in this vital area of our public policy.

When I realize that in 1981 we are returning to a system and to a determinant that was clearly demonstrated 25 years ago as ineffective, if not bankrupt, I am deeply saddened, not only for the province as a whole but in particular for my part of the province where these kinds of major public policies and programs have had a significant beneficial effect, an effect I believe will be seriously eroded by the kind of policy outlined by the government at the recent hospital convention.

5:30 p.m.

Hon. Mr. Timbrell: Mr. Speaker, I am pleased in the last 18 or 19 minutes that are left of this debate to take part and to respond to some of the points made in the course of the afternoon.

I must first of all thank my colleagues on this side, the member for Sudbury, who is my parliamentary assistant, and the member for Wentworth for their participation. I was pleased that the member for Sudbury chose to deal with the wording of the resolution and to show how shallow it is and how it is in no way, shape or form based on the true facts of the health care system as it has developed, as it is and as it is planned to be in this province.

I was pleased that the member for Wentworth dealt with his particular area, because in his area, as in all areas of the province over recent

years, we have seen a number of changes for the good in the delivery of health care. He might have added to the list of things the member for Hamilton Centre apparently was not prepared to acknowledge, such things as the MacMaster University Medical Centre, which to this day remains one of the most modern facilities of its kind on the continent.

He did touch on the fact that we have approved the rebuilding of the Hamilton General Hospital. I would have hoped that the member for Hamilton Centre might have given some acknowledgement of the fact that additional chronic beds have in fact been approved and put into place in Hamilton, along with 100 nursing home beds which have recently been approved. She might have talked about the recent changes at St. Joseph's Hospital and the Fontbonne, the opening of which the member for Hamilton East (Mr. Mackenzie) and the member for Wentworth attended. I assume she was invited but unfortunately could not be there.

I might just take a minute to deal with a couple of the items raised opposite. I was disturbed that the members opposite would not first of all recognize that what the Premier said a week ago Monday was that there would be no new user fees. In fact, the quote that the member for Bellwoods used from the 1979 report of the Ontario Council of Health emphasizes and proves the Premier's point. What I had to say to the hospitals Wednesday, among other things, was quite consistent with and in no way waivering from what my leader, the leader of the government, had said a couple of days before.

I was interested that the member for Etobicoke, who has since left the chamber, really emphasized my point about beds when he pointed out, as a member of the board of the Etobicoke General Hospital, that at this time, that hospital regularly uses beds designated as private or semi-private for people who have standard OHIP coverage. In fact, that was the point I was making in the House last week. I will not get into reciting yet again the parts of the Public Hospitals Act and the Health Insurance Act that create a legal responsibility to ensure that is done, but in fact that is the practice of the hospitals.

I am sure he did not intend to, but the member also makes my point that the hospitals of the province will, I believe, make very slow and very small changes in the numbers of beds designated as semi-private or private. No matter

what changes they make, the fact is that admission will always be on medical need, and whichever bed is available—whatever or however it is labelled—will be used. If the person in the future, as at present and as in the past, if the person does not have the—

Mr. Philip: Where does it bring extra bucks to the hospital?

Hon. Mr. Timbrell: Apparently that member is not interested.

If a person does not have third party insurance, he will not be charged. Again I might make the further point that persons admitted to a private room for medical reasons who do not have insurance will not be charged.

Considering the wording of the resolution and the speeches that have been made by members of the third party, I am amazed they did not compare Ontario with Saskatchewan, their Canadian nirvana. In Saskatchewan they have many user fees; in fact they have fees even we do not have. On July 1 of this year, Saskatchewan introduced fees for nursing home and chronic care that roughly equate to the system we have had in Ontario for many years. In Saskatchewan they have a copayment or user fee for their drug plan. We do not have that in Ontario. They do not even have an organized provincial ambulance system. If that is not a user fee through neglect, I do not know what is.

As I look around the chamber, and having heard this talk about cutbacks and the lack of momentum in the system, I might just mention any number of new programs and new facilities that I have been a part of in the last year or 18 months. When I look at the member for Renfrew North, I am reminded of the new facilities in Pembroke, the new nursing home and the home for the aged that has recently been rebuilt. I am reminded of the 60 additional nursing home beds in Arnprior.

When I look around and see my colleague the member for Sudbury East and some of the northern members, I am reminded of the significant changes that have been made this year. The Minister of Northern Affairs (Mr. Bernier) has been involved with the dedication of two helicopters and two fixed-wing aircraft for northern Ontario for air ambulance services.

I might mention the approval several weeks ago of the contracts valued at more than \$20 million to rebuild the Hotel Dieu Hospital in Kingston.

The member for Brant-Oxford-Norfolk reminded me of the rationalization agreement in Brant county that has resulted in the Willett

Hospital at Harris in the great riding of Brant-Oxford-Norfolk, which has been given the approval to proceed on some significant capital renovations.

I might mention the new cancer clinic at Sunnybrook Medical Centre that has recently been completed and put into service.

I am sorry the member for Quinte is not here. I might mention several changes in programs at the Belleville General Hospital this year and in recent years: nuclear medicine, expanded ambulatory care, additional chronic beds.

I might refer to the 50 additional chronic care beds that have been approved in Thunder Bay, 25 at McKellar and 25 psychogeriatric beds at Lakehead Psychiatric Hospital.

If we look down University Avenue we find several new hospitals built in the 1970s and early 1980s, the most recent of which was the opening this year of the Eaton wing of Toronto General Hospital.

I might point out such things as the additional nursing home beds that have opened this year in Timmins, Haileybury, Lindsay, Essex county and Metropolitan Toronto. There are more to come. Beds have been approved for Halton and a number of other areas.

I might mention the new chronic care unit I opened in Penetanguishene in the spring of this year.

Perhaps we should talk about the 77-bed Ottawa regional rehab centre that we opened in the spring of this year. The facilities of the new Ottawa General Hospital, opened in 1980, are on the same site. The Children's Hospital of Eastern Ontario opened in the 1970s and the new health sciences complex is due to open in 1982 in the Ottawa area. That is even before I talk about the 200 chronic care beds at the old Ottawa General Hospital which has now been renamed the Elizabeth Bruyere Centre.

5:40 p.m.

I might have talked about the new health unit buildings that opened this year in Stratford—I mention that so we can have a little balance—and in Timmins and Cornwall. I might have talked about the 75 new chronic care beds I opened this year at Cambridge. I might have talked about the recently completed renovations at St. Joseph's Hospital in London which, to be fair, the member for London North has acknowledged are good changes, much needed and being well used. I might have talked about the critical care unit at Sudbury Memorial Hospital.

The list goes on and on. There are the McCausland Hospital, which my friend the

member for Lake Nipigon (Mr. Stokes) opened last year at Terrace Bay, and the changes that have been made with respect to the north shore hospitals over the last couple of years in regard to laboratory services, radiology, et cetera.

Because time will not permit, I will not go into the whole list but it is extensive. Virtually every one of the items I have mentioned, and it is by no means an all-inclusive list, is from this year alone.

Some hon. members: More, more.

Hon. Mr. Timbrell: They want to hear some more. I might talk about the new chronic beds at Almonte General Hospital. I might talk about some of the changes being made with respect to the hospitals in Windsor. The list goes on.

Obviously, anything but cutbacks is the order of the day. My friend the member for Sudbury told us the spending in my ministry has gone up by about 68 per cent since I became minister. By the end of the fiscal year, with the additional money that I told the hospitals was going to be applied to their phase two budgets, the increase from the time I became minister to the end of this fiscal year will exceed 70 per cent. That is in five fiscal years.

I might go further and tell the House the increase in the last fiscal year, with the additional money that is going toward phase two budgets, will exceed 40 per cent in two fiscal years alone for the hospitals in the province. That is not what I call cutbacks; that is not what any sane person could possibly call starving or anything akin to that.

In my time as Minister of Health I have heard only three specific suggestions of cuts in health care and I might take them in order. In 1977, with all due respect to my friend the member for Brant-Oxford-Norfolk, he suggested we should cut our spending on psychotherapy. He may recall that meeting of the standing committee on public accounts in 1977 where it was suggested we were spending too much on psychotherapy. In other words, we were helping people with their mental illnesses too much through the health plan. Obviously, even the *Toronto Star*, which the member for Ottawa Centre quoted at such liberty and length, shot that idea down.

Then in the spring of 1978 the new leader of the Liberal Party of Ontario suggested the spending of the Ministry of Health was greater than it should be and that my 1978-79 estimates should be cut by \$50 million. I have never proposed such cuts. Nobody over here has said

the approved budget of the ministry should be cut. It was the Leader of the Opposition who proposed my budget be cut by \$50 million.

Then there was the interesting press conference, in 1979 I believe it was, when the leader of the third party said, "If only the minister would force health service organizations on every community in the province, we could cut hospital spending by 40 per cent." He was basing that on the evaluation of the Sault Ste. Marie clinic. My reaction was, did the member really mean we should let 40,000 of the 100,000 people who work in the hospital system go? Of course not; he was saying we could cut 40 per cent, but we should keep all the staff.

To deal briefly with the question of the agreement with the federal government, several members have tried to suggest our agreement with the federal government has somehow been abrogated by the actions taken by me in recent weeks as Minister of Health of this province. In an agreement signed on July 11, 1980, between the Queen in right of Canada and the Queen in right of Ontario, the federal government acknowledged, "except as may be approved from time to time by the Minister of Health of Ontario"—

Mr. Cureatz: On a point of privilege, Mr. Speaker: I just want to point out to the Minister of Health that the Bowmanville Memorial Hospital is still waiting for its funding from his ministry.

Hon. Mr. Timbrell: I might point out to the member that he has recently had 40 nursing home beds approved for the region of Durham, which of course will serve his constituents very well.

I will not take the time to finish the quotes, but the agreement with the federal government very clearly provides that the Minister of Health of Ontario may do exactly what I indicated last week was the case. When it comes right down to it, the arguments that were made in this chamber really do not carry much weight with the people of Ontario. The test for them is in the use of the system. The people of the province know—and every poll that has been done in recent years has confirmed this—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Timbrell: The people of Ontario know that the medicare system in this province is in fact universal, is in fact accessible and is not a two-class system. We are not now, or at any time in the future, going to go to the kind of

system that even today exists in the United States. They know that, if anything, what we have in Ontario, even what we call standard coverage, is in any other country, even in the United States today, above average or luxury coverage.

The security, which I would agree with the member for Ottawa Centre is so important to all of our people, is as great today as it has ever been, and it will be respected and maintained throughout the years to come by the actions of this government.

Interjections.

Mr. Speaker: Order. Is there an agreement to hold the vote before 5:50 p.m.?

Hon. Mr. Timbrell: Mr. Speaker, it was my understanding that I had only so many minutes, as did the other members, and that I had used that. I have a supplementary list of things I might use—

Mr. Speaker: No, I think —

Hon. Mr. Timbrell: I did not even touch on Peterborough and the great things that have been done there.

Interjections.

Mr. Speaker: Just a minute. Order.

Under the standing orders the vote is to be taken at 10 minutes to six. I am asking if there has been an agreement among the parties that the vote will be held before that time?

Mr. Cassidy: Ring the bells for seven minutes.

Interjections.

Mr. Speaker: Not before the vote.

Interjections.

Mr. Speaker: I beg your pardon?

Mr. Martel: There is no agreement.

Mr. Speaker: Then we will wait until 10 minutes to six.

Mr. Cassidy: But the bells have got to ring, Mr. Speaker.

Mr. Speaker: I understand that.

Hon. Mr. Timbrell: Mr. Speaker, might I—

Mr. Speaker: No, I think the debate is finished.

Interjections.

Mr. Speaker: I cannot. The standing orders say 10 minutes to six o'clock.

5:55 p.m.

The House divided on Mr. Cassidy's motion of resolution 46, which was negatived on the following vote:

Ayes

Boudria, Bradley, Breaugh, Bryden, Cassidy, Charlton, Conway, Cooke, Copps, Cunningham, Di Santo, Eakins, Edighoffer, Elston, Epp, Foulds, Grande, Haggerty, Johnston, R. F., Kerrio, Laughren, Lupusella, MacDonald, Mackenzie;

Martel, McClellan, McEwen, McGuigan, McKessock, Miller, G. I., Newman, Nixon, O'Neil, Philip, Reid, T. P., Renwick, Riddell, Ruprecht, Ruston, Samis, Smith, Spensieri, Stokes, Van Horne, Wildman, Worton.

Nays

Andrewes, Ashe, Baetz, Barlow, Bennett, Bernier, Birch, Brandt, Cousens, Cureatz, Davis, Dean, Drea, Eaton, Elgie, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Harris, Havrot, Henderson, Hennessy, Hodgson, Johnson, J. M., Kells, Kennedy, Kerr, Kolyn, Lane, Leluk, MacQuarrie, McCaffrey;

McCague, McLean, McMurtry, McNeil, Miller, F. S., Mitchell, Norton, Piché, Pollock, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Shymko, Snow, Sterling, Stevenson, K. R., Taylor, G. W., Taylor, J. A., Timbrell, Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman, Yakabuski.

Ayes 46; nays 65.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, just before you call the recess, it has been agreed that if any recorded votes are required on committee stacked votes or second readings, they will be held at 10:15 p.m. tonight. We will start with the twenty-first order at eight o'clock.

The House recessed at 6:02 p.m.

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No. 126

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Thursday, December 10, 1981

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, December 10, 1981

The House resumed at 8:01 p.m.

SELECT COMMITTEE ON PENSIONS (concluded)

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the first report of the select committee on pensions.

Mr. Riddell: On a point of order: Prior to the supper adjournment it was indicated to us by the government House leader that we would be proceeding with Bill 178. Has a change been made since then?

Mr. Nixon: If I might assist the member, I believe the debate was completed last Thursday but the vote was not taken. Although we are not worrying about it too much, I understand the House leader of the New Democratic Party, in his meticulous way, wants to carry this vote.

The Acting Speaker (Mr. Cousens): I cannot hear you, honourable member.

Mr. Nixon: I just want to stimulate a little discussion here.

Mr. McClellan: If the Liberals want to have a caucus meeting inside the chamber, that is their problem.

Mr. Martel: That is a good point my colleague has made.

If the member for Brant-Oxford-Norfolk has not advised his caucus that we were going to vote and agreed to vote on the recommendations of the report carried last week, that is not our fault.

Mr. Gordon: Do not forget, millions of brain cells die every day.

Mr. Martel: If you have even one to die, you're lucky.

Mr. Gordon: You would know about that.

Mr. Martel: You're right. I have watched you perform.

The Acting Speaker: What is your point of order, please?

Mr. Martel: I am speaking to the point of order, but the interjections are drowning me out. I was just waiting for a pause that refreshes from the member for Sudbury.

An agreement was announced—

Mr. Gordon: We will send you over a northern ale.

Mr. Martel: Do you want the floor?

The Acting Speaker: The member for Sudbury East has the floor, speaking to a point of order.

Mr. Martel: It was agreed and announced by the government House leader that there would be a vote immediately at eight o'clock on the report of the committee that was looking into pensions. I hope Mr. Speaker will call that vote now as was agreed to.

Hon. Mr. Gregory: As was arranged by the House leaders and as all three House leaders seem to be aware, although some of them have not informed their membership, the agreement was that we would vote on item 35 and then proceed directly to the bill the member for Huron-Middlesex (Mr. Riddell) was going to speak on. So perhaps if you could call a vote on item 35 we will be all set.

Mr. J. A. Taylor: Mr. Speaker, it is my understanding that the debate has concluded. If the members of this House are ready for the motion to be put in accordance with my motion to adopt the report could we not call for the motion to be adopted?

The Acting Speaker: That is what I am going to do now. Shall the report be received and adopted?

Motion agreed to.

HIGHWAY TRAFFIC AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 178, An Act to amend the Highway Traffic Act.

Mr. Riddell: Mr. Speaker, I believe I adjourned the debate this morning. I am sorry to have caused so much confusion this evening but the way this House is normally run by those people across the way it requires some kind of watchdog to see business is conducted in a somewhat orderly fashion.

This morning I had indicated to the minister that as a member of the select committee on highway safety I certainly acknowledge that the combination of alcohol and driving constitutes the most serious problem in road safety. I

indicated that the committee on highway safety recommended a three-pronged attack on the problem of drinking and driving—that is, prevention, management and rehabilitation.

I also indicated that to reduce the size of the problem the committee advocated two kinds of preventive approaches. One was to provide more information to the public, which I think is very important and which is not being done. We still see too much lifestyle advertising. The second was to introduce new deterrents to teen-age drinking and driving, with teen-age underlined.

This bill, in my estimation, is punishing—
Interjection.

Mr. Riddell: Do we have to put up with the likes of this across the way, Mr. Speaker?

The Acting Speaker: Order. The honourable member for Huron-Middlesex has the floor and he is speaking to Bill 178.

Mr. Gordon: That's about all he has.

The Acting Speaker: Order.

Mr. Riddell: I think we had better bring the ALERT machine into this place.

In my estimation, this bill is punishing all drivers in an attempt to resolve a problem that is predominantly caused, according to the select committee, by a certain age group of drinking drivers. The latest statistics available to the committee at the time of their study indicated that by 1975—and that was some years after the age limit was lowered from 21 to 18—teen-age drinking drivers were involved in 37.2 per cent of alcohol-related collisions, and that figure was rapidly rising. If we were to know the statistic today, and maybe the minister does, it would probably be closer to 50 per cent.

Mr. Gordon: You are just like a bull in a china shop.

Mr. Riddell: What relevance has that got to what I just said?

The Acting Speaker: Order. Discontinue the interjections. The honourable member has the floor.

Mr. Riddell: A study by the Traffic Injury Research Foundation of Canada showed that the risk of collision with drinking teenagers is 165 times that of the average unimpaired Ontario driver. Steps had to be taken, according to the committee, to reduce access to alcohol for the youngest, most vulnerable group of drivers. The government responded by raising the legal drinking age to 19.

8:10 p.m.

I believe the police would be making far better use of their time if they made a concerted effort to check drinking establishments for under-age drinkers rather than stopping cars to check the breath of drivers of all ages. I know within my own riding some of these drinking establishments are so filled with people on weekends one can hardly find a spot to sit if one goes into these beverage rooms.

If one goes in to check he will see that a lot of the people in there are under the age of 19. Yet when one checks with a lot of the drinkers or with a lot of the owners of these establishments, they will say they rarely see a policeman walk in. In other words, they seem to have a clear licence to serve whoever wanders in. If a greater check was put on these drinking establishments by the police we would be accomplishing far more than pulling all these cars over to the curb.

Mr. Gordon: Whatever you say, daddy.

Mr. Mackenzie: The member for Sudbury should behave himself.

Mr. Riddell: How in the world did the member for Sudbury ever get elected?

The Acting Speaker: The honourable member should disregard the comments.

Mr. Riddell: I then brought to the minister's attention the fact that the testing equipment is not all that accurate. As a result, the level at which charges are laid under the Criminal Code for impaired driving is 100 milligrams. It is not the 0.08 but 100 milligrams of alcohol in 100 millilitres of blood. In other words, they allow a leeway of 20 per cent.

Therefore, leeway should be given for the spot-checked drivers under this legislation. Unless a driver blew around 0.08 I question whether his licence should be suspended. If a driver is going to have his licence removed because he happens to blow 0.05, and assuming leeway was given because of the inaccuracy of the machine, the chances are that driver had an alcohol content of 0.03. What does that mean? That means when I go to a warden's banquet and drink a toast to the warden, a toast to the wives of the councillors and reeves at that banquet and a toast to the Queen, according to this government and this legislation I will likely be considered impaired.

Therefore, when I drive away from that meeting I stand to have my licence suspended. That may sound ridiculous but that is the way I see it. What does that mean? We are likely going to have to serve grape juice at these banquets. That is not going to make the farmers who are

producing the various fine wines we have in this province happy and it is not going to make the wineries very happy either.

Mr. Gordon: Why don't you drink milk and help the milk producers?

Mr. Riddell: That is exactly what I do.

The problem with setting a standard is there really is no safe limit. Even one drink will cause some impairment. A study done concluded that a blood alcohol content as low as 40 milligrams constituted impairment in terms of inability to control a car effectively. So the standard established by the Solicitor General is arbitrary at its best.

Hon. Mr. McMurtry: Lower than 40; is that your amendment?

Mr. Riddell: No, I am simply saying there is no such thing as a safe limit so the minister has set a standard that is completely arbitrary. Now we have partial guilt of impairment at 0.05 but more guilt at 0.08. It does not seem to make sense.

I do not think there is any doubt that a driver is a definite hazard at levels below the legal limit of 80 milligrams. If the Solicitor General is really concerned about the driver with 0.05 impairment, why does he not contact his counterpart in Ottawa and ask him to amend the Criminal Code? Laws are complicated enough now without introducing two standards. The problem the minister is creating is that for the driver on the borderline of legal impairment, the 12-hour suspension may weaken the deterrent effect of Criminal Code sanctions.

In any event, as many as 50 per cent of persons on 12-hour suspension will continue to drive. Let us not kid ourselves. They will simply go home and probably, if they want to go out that night, pick up the second car parked in the laneway and drive it. I am not just saying this. It is an established fact, according to the information we have been given, that 50 per cent of those drivers are going to drive anyway, even though their licence has been suspended. That may even be a conservative estimate.

The system permits the driver to incur any number of 12-hour suspensions without additional penalty. Wherein lies the deterrent? A driver stopped at six o'clock in the evening returning home from the beverage room after a hard day's work will be able to retrieve his licence the following morning in plenty of time to return to work. That is when they will be pulled over, when they get out of work. It is Christmas time, and they will go into the

beverage room to have a few drinks. Then they will be pulled over. So maybe some time between six and seven o'clock their licences will be suspended for 12 hours. Then they go home using the subway or whatever means they have, and come back in time to pick up their licences and drive to work. What kind of—

An hon. member: Is this in Huron-Middlesex?

Mr. Riddell: Most of the licence suspensions will take place in the urban centres, because we in the rural areas can handle our drinks.

The only deterrent I can see is the inconvenience of getting the licence back, and chances are the driver will drive his car to the designated place where the licence is being held. The minister may say the driver is taking the chance of driving while his licence is suspended, but that driver may argue that his licence suspension terminated at six o'clock in the morning. So what have we accomplished? Probably very little more than another test case for the courts.

I do not know whether the minister is looking after his lawyer friends or not, but I can imagine the lawyers would dearly love to get this type of thing into the courts, where a licence suspension had terminated at six o'clock in the morning and the fellow happened to drive his vehicle, say at eight o'clock in the morning, to pick up his licence. I would be interested in the minister's comments on that when he gets up to answer. In addition, the 12-hour suspension may encourage inefficient or lazy police simply to suspend a licence rather than to lay a charge under the Criminal Code when appropriate. This further weakens the deterrent effect of current sanctions.

Getting back to the committee, it noted an additional problem. This approach could make possible arbitrary and capricious suspension by police. Through this legislation we are making the police judge and jury, and it is difficult at the best of times for the police to create a good public image. We should be striving to narrow the gap rather than widen it. We do not want this province to be perceived as a police state.

Granted the select committee on highway safety recommended that the government of Ontario enact legislation to empower the police to suspend for 24 hours the licence of a driver with a blood alcohol level of 50 to 100 milligrams of alcohol per 100 millilitres of blood as measured on the ALERT machine, the alcohol level evaluation roadside tester. That is a completely arbitrary figure of 50 to 100 milligrams.

Members will note the lack of specifics in this

recommendation. The police have to make an arbitrary decision as to whether they suspend the licence of a driver with a blood alcohol level of 50 or 60 or 70 or 80, or 90, or 100. Some police are likely to suspend it if it tests 80; other police will likely suspend it if it tests 50. One can see the very arbitrary decision that the police have to make.

8:20 p.m.

The job of the police is to enforce the law, and the law as it now exists, which is well known to the public, is that drivers can be charged for impairment at an alcohol level of 0.08. There is nothing arbitrary about that; 0.08 is the point at which charges for impairment can be laid and a licence automatically suspended. The Criminal Code does not say between 0.08 and 0.12, or something of that nature, as this recommendation states between 50 and 100. There is nothing arbitrary about the Criminal Code as it pertains to this matter, but there certainly is about this recommendation in the select committee report.

The level of 0.08 is clearly spelled out in legislation. There is nothing arbitrary about it from the standpoint of enforcing the law. Because the recommendation in the select committee report is very loosely worded, based on the differences of opinion presented to and documented by the committee, I have no hesitation in opposing Bill 178. We simply cannot pass laws that incorporate two different standards—impairment at 0.05 and guilty according to provincial legislation, and impairment at 0.08 and guilty according to federal legislation. It has to be one or the other; it cannot be both. I hope the Solicitor General will take that into consideration.

Hon. Mr. McMurtry: Mr. Speaker, at the outset I would like to thank the members for Hamilton East (Mr. Mackenzie) and Riverdale (Mr. Renwick) for their very thoughtful contributions to an important debate on what is, undoubtedly, a complex subject. I would also like to pay tribute to the former member for Yorkview, Mr. Fred Young, for his dedication to the very important, crucial area of highway traffic safety. I commend the work he has done and the leadership he gave in the important select committee report of 1977, which has been referred to by several speakers.

I might say I use the words "thoughtful contributions" because, obviously, some significant thinking has gone into their remarks. I hesitate to say that is unlike some of the contributions we hear from the official opposi-

tion, who read one or two editorials and shoot from the hip. It is really sad they would treat such an important and crucial area of human behaviour in such a cavalier fashion. I might say, Mr. Speaker, that this is—

Mr. Conway: You are a pompous, arrogant ass.

The Acting Speaker: Order. I ask that the remark be withdrawn.

Mr. T. P. Reid: Why?

Mr. Conway: I certainly have no alternative but to withdraw the remark that the Solicitor General is a pompous, arrogant ass, and I shall do so.

The Acting Speaker: Thank you. That is not acceptable parliamentary language.

Hon. Mr. McMurtry: I must admit that, watching the pathetic performance of these people week after week I do not expect anything better than that.

Interjections.

The Acting Speaker: Order.

Hon. Mr. McMurtry: I am very happy that the record just demonstrates the level of their contribution to the debates in this House. Let it speak for itself.

I do not intend to deal in great detail—

Mr. T. P. Reid: Your attitude is beyond belief for somebody in your position.

Mr. Ruston: In the position of Solicitor General, you should be ashamed of yourself.

The Acting Speaker: Order.

Hon. Mr. McMurtry: I think there are a number of people from the riding of St. George here tonight who are probably once again congratulating themselves on their wisdom in replacing a Liberal member with a Progressive Conservative member on March 19—

Mr. T. P. Reid: Remember who they voted for before too. They were smart enough the first time, weren't they? Remember they voted for Margaret Campbell the first time. That showed you.

The Acting Speaker: Order.

Mr. Samis: Forget March 19.

The Acting Speaker: The Solicitor General has the floor.

Hon. Mr. McMurtry: This is the idiotic behaviour we have come to expect from the members of the official opposition party.

The Acting Speaker: The Solicitor General will speak to Bill 178.

Mr. Ruston: Mr. Speaker, point of order: Do you call that parliamentary procedure?

The Acting Speaker: I would ask the Solicitor General to deal with the bill that is at hand. We are talking to Bill 178.

Hon. Mr. McMurtry: As I said, Mr. Speaker, I do not intend to discuss in great detail what must be an obvious fact to all members of the Legislature, that is, the very tragic statistics we are aware of on a day-to-day basis in relation to the carnage on our highways. I think the member for Hamilton East described this situation very eloquently. Very little has to be added to what he has said.

Without doubt many of these tragedies are, as we all know, related to alcohol abuse on the highway. There is no question but that this problem has commanded and should command the attention of every responsible citizen. I would think any future civilization, looking back on ours and seeing the number of lives that were either lost or destroyed, the mutilation that occurs every day on the highway, will reflect with some degree of wonderment on why we demonstrated the relative degree of tolerance we do demonstrate to such a critical problem.

We are, of course, talking about the more than 1,500 lives—

The Acting Speaker: Point of order, the member for Waterloo North.

Mr. Epp: Mr. Speaker, I agree with the Solicitor General that this is very important, but why in the devil has it taken all these years to get this legislation on the books when he speaks so self-righteously—

The Acting Speaker: That is not a point of order. The Solicitor General has the floor.

Hon. Mr. McMurtry: The degree of tolerance we demonstrate towards this tragic issue is rather distressing. I suppose it is related to the fact that automobiles are so much a part of our everyday lives and obviously the consumption of alcohol is very much a part of our culture. The combination of the two activities, while lawful by themselves, has created a tragedy of immense proportions. To cite but one of many figures available, there are more lives lost on the highways of the United States every year, for example, than there were during the whole of the Vietnam war. But I think the member for Hamilton East has placed this very important debate in its proper context.

At the same time, we recognize this is an area of some controversy, whenever we are dealing with police powers. Again, we approach this issue on the basis that driving is a privilege and

not a right. All responsible members of the community do have a right to expect that those using the highways will use them wisely and prudently. Of course the fundamental responsibility to regulate highway safety and to maintain and, I hope, increase the level of safety on the highways is the responsibility of the provincial government. Much of the Highway Traffic Act is dedicated to regulating vehicles on the highway, whether it relates to rules of the road, requirements in relation to mechanical fitness and the fitness and ability of individuals to operate a motor vehicle.

8:30 p.m.

This is why these important amendments are sought to the Highway Traffic Act. They are fundamental to the regulation of traffic on the highways and maintaining a proper level of safety.

It is true that we have been cautious in introducing this legislation. It is true that, back in 1976, an interministerial committee recommended 24-hour suspensions. At that time the ALERT device had not been perfected to the present degree. The government did not proceed because it was concerned that even 24-hour suspensions might be based simply on the judgement of a police officer as opposed to some objective test, which is what the ALERT machine is all about.

Notwithstanding these concerns, the Alberta and British Columbia governments introduced 24-hour licence suspensions some time ago with a similar approach. This reason and the success these programs enjoyed, along with the public acceptance that had been demonstrated toward these safety programs, led our interministerial committee to recommend such a course of action.

As has already been pointed out, the select committee on highway traffic safety made a similar recommendation in 1977 in a report that was signed by all members of the committee. But the signatures of two members of the official opposition are now, in effect, being withdrawn, at least from that part of the report. I must admit, I listened very hard and I paid as much attention as was possible, but I certainly did not really hear any explanation as to why they would support such a recommendation in 1977 and not in 1981.

Mr. Nixon: Why do you think it is such a good idea now?

Hon. Mr. McMurtry: The reason this has been looked at very closely is because we

wanted to be satisfied that the ALERT machine had been perfected and was reliable. I can assure the House that we have been assured that it is a reliable device. The members of the New Democratic Party caucus who met with people from the forensic sciences laboratories satisfied themselves as to the accuracy of the device. Obviously it is necessary to have an objective test as well as the subjective test of even a trained police officer.

Mr. Nixon: You are admitting to impairment at 0.05. Is not that criminal conduct?

Hon. Mr. McMurtry: The member for Huron-Middlesex suggested it was an arbitrary figure. It is no more arbitrary than the figure of 80 milligrams under the Criminal Code. Why the difference between 80 milligrams and 50 milligrams? First of all, we naturally conceded there is a double standard.

A double standard, of course, is the difference between what is considered to be criminal conduct. That is, sanctions prescribed by the Criminal Code that one is engaging in criminal conduct with a breathalyzer reading of 80 milligrams or more. The difference between the two standards is what the federal Parliament has determined to be an appropriate sanction for criminal conduct as compared with what Ontario regards as an acceptable regulation, not to describe the conduct as criminal but as acceptable regulation with respect to the crucial issue of highway traffic safety. I do not know why the member would have so much difficulty understanding that.

Mr. Riddell: You are admitting impairment at 0.05; isn't that criminal conduct?

Hon. Mr. McMurtry: I did not interrupt the member. Anyone who has made a study of this issue, as I am sure many people on both sides of the House have, will be aware of the many studies demonstrating that readings in excess of 50 milligrams represent a significant risk, not only to the individual who is driving in that situation but to others using the highway.

I think I heard the member for Huron-Middlesex refer to another opinion that said 40 milligrams represented a significant risk. I would like to refer the members of the Legislature to the study done under the auspices of the Ministry of Transportation and Communications, the Ministry of the Solicitor General and the Ministry of the Attorney General with respect to the 1979 Ontario roadside blood alcohol-content survey.

The conclusion of the experts who partici-

pated in that survey during the time it was conducted indicated that of the many thousands of drivers tested, one in eight demonstrated serious signs of impairment. Although they were signs that would not necessarily lead to a criminal charge or conviction, they were still significant signs of impairment. At that time we referred to the public being exposed to a shooting gallery of one in eight drivers coming towards them showing significant signs of impairment.

It is to address this serious situation that this legislation has been developed. It was considered carefully by our own Ontario Highway Traffic Safety Council, chaired by Deputy Commissioner J. S. Erskine of the Ontario Provincial Police and made up of a number of police officers as well as senior officials of several ministries.

There are a number of other studies that have indicated, as I have already stated, that about 50 milligrams is a significant area of risk. Why do we ask the public to accept that degree of risk? We have come to the conclusion the public does not want to assume that that is an acceptable risk.

We recognize this is not going to solve the problem of drinking and driving on the highways but we hope it will alleviate it to some extent. In doing that, we hope we can demonstrate that lives will be saved. Obviously, if one life is saved it makes it worth while. Our expectation is somewhat greater than that.

All the studies that have been done in this difficult and complex area demonstrate that to reduce alcohol abuse on the highway, it is critically essential to raise the level of apprehension of detection. The use of roadside screening devices and the RIDE program—to reduce impaired driving everywhere, of course—is essential in increasing the level of apprehension of detection. Only in that area are we going to create any degree of deterrent.

My good friend the member for Brant-Oxford-Norfolk asked why we hear so much about this at Christmas time. What is happening the rest of the year? It is true that police forces throughout the province and other government initiatives have recognized these campaigns would be better spaced throughout the year. If they were in force week in and week out, the public would probably become somewhat desensitized to them.

8:40 p.m.

Certainly everyone agrees that the holiday time of the year, when alcohol consumption is

that much greater, is obviously a good time for these public education programs, RIDE programs and the like. They have demonstrated that they reduce the numbers of accidents and save lives. I know all of us in this House are crucially concerned with the saving of lives on the highways.

What we have here is the fact that a number of people have recommended that when we have a reading above 50 milligrams, it really would be a significant public safety measure simply to remove those drivers from the highway for 12 hours. The penalty, of course, is largely related to the fact of the inconvenience of being unable to drive for 12 hours. In most cases, there will be no problem with having to pay a fee at the pound because the legislation makes it very clear that every other alternative should be explored.

It is only in cases, quite frankly, of protecting the automobile, which otherwise would be abandoned, that vehicles are impounded. Even now, with the very large number of impaired driving charges laid under the Criminal Code every year, there is a remarkably small percentage of vehicles impounded, because the police in this province recognize that whatever powers they have must be utilized wisely in order to maintain a high level of public confidence in law enforcement.

Some of our colleagues have talked about an opportunity for police harassment. If the police want to harass people on the highway they have the authority now without any of this legislation. The Highway Traffic Act makes it very clear that a police officer can stop any of us at any time simply to check whether or not we have an operator's permit. The police officer can stop us at any time simply to check to see whether the vehicle is mechanically fit. Obviously, police officers have demonstrated the ability to use these powers wisely, because if they wanted to harass people, they have the authority now.

In relation to this new initiative, I think it is fair to assume that the same degree of wisdom will be demonstrated. The member for Huron-Middlesex mentioned in his submission something that had concerned me in relation to whether or not people would end up with a 12-hour or 24-hour suspension as opposed to a criminal charge. I have to tell you that was one issue that was debated internally here for a long period of time because I worried about that possible situation; again, I was worrying about creating the perception that police are going to be prosecutor, judge and jury at the roadside.

All these issues were debated very extensively, so I do not criticize anybody for raising these issues because they certainly have been raised on a number of other occasions. But the decision was made, and I am confident it has widespread public support, that the demands of public safety require additional initiatives in relation to alcohol abuse on the highway.

We do have the alcohol level evaluation roadside tester, the ALERT machine, which is a reliable machine, but a person does not have to accept that. He can insist on a full breathalyser test at the station; he has that right. So this legislation has been very carefully balanced to recognize the crucial interest of public safety on the one hand, while recognizing the legitimate concerns in relation to individual rights on the other hand.

Some people will argue, undoubtedly, that even a 12-hour suspension without the right of going to court and having a trial is an interference with what they consider to be their individual rights. But in all laws, whether they are under the Criminal Code, the Highway Traffic Act or other provincial legislation, one is forever engaged in this very difficult balancing act between individual rights and the collective good. This is particularly the case when it relates to interference by the state with individual rights so that we can be protected from alcohol abuse on the highway.

Every legislature is traditionally faced on many occasions throughout any year with balancing these rights. I believe the public will accept the fact that highway traffic safety does demand additional initiatives, particularly when it relates to alcohol abuse. This is so whether one is considering individual rights in the individual or collective sense. The police are crucially concerned with maintaining public confidence in law enforcement in this province and, as they have demonstrated in the past with arbitrary powers, these powers have to be exercised wisely.

I would hope there is not too much concern in relation to the three-year minimum sentence with respect to those who deliberately engage the police in high-speed chases. It is a very difficult situation for police. It is a catch-22 situation: if they decide not to chase, people who are driving recklessly may be involved in serious and often fatal accidents down the road; if they do chase and an accident ensues, they are blamed in both areas. But this will serve as at least some degree of deterrent for people who want to engage in this highly dangerous conduct.

I know the member for Riverdale (Mr. Renwick) is not here. He was concerned about a situation where a person on a clear mission of mercy is rushing to the hospital, for example, and neglects to obey a police officer's request to stop. What will happen in those circumstances?

I have taken another careful look at the wording. It is quite true the legislation does not make any exceptions for missions of mercy. But the police in this area, as they have in so many other areas in relation to the criminal law—quite apart from highway traffic law enforcement—have a very wide degree of discretion as to whether or not they are going to prosecute somebody who may have broken the law. Police officers every day are called upon to exercise this discretion and not to prosecute where it is clearly not in the public interest to do so.

All I can say to the member for Riverdale is that I appreciate his thoughtful concern in this respect, but I do not think there is much likelihood of a police officer prosecuting or, if that happens, a court convicting somebody who is clearly on a mission of mercy. I think it is totally unlikely. I appreciate his concern but I do not think any change in the legislation is going to address that issue as well as a wise exercise of police discretion and, in the ultimate instance, the wisdom of the court.

In conclusion, Mr. Speaker, I would urge all members to support and to ease the passage of the legislation before we adjourn. I believe this legislation will result in the saving of lives. I think, frankly, that any delay will simply lead us into a situation where the opportunity to save lives is lost.

8:50 p.m.

I once again want to thank the New Democratic Party caucus for their support in what is undoubtedly a controversial area of legislation, but legislation that I think is of fundamental importance as far as safety on the highways is concerned.

On motion by Hon. Mr. McMurtry, the debate was adjourned.

REVISED STATUTES CONFIRMATION ACT

Mr. G. W. Taylor, on behalf of Hon. Mr. McMurtry, moved second reading of Bill 184, An Act to confirm the Revised Statutes of Ontario, 1980.

Mr. G. W. Taylor: Mr. Speaker, this is an act that will confirm the Revised Statutes of Ontario, 1980. These are the voluminous volumes we

all receive as members. It is customary after the decennial revision of the statutes of Ontario to confirm the revision by a piece of legislation in this House. That is what Bill 184 does.

Mr. Nixon: Mr. Speaker, we are certainly supporting Bill 184. It is sort of like fourth reading of the bills. We have already discussed and debated them three times and deliberated on them in committee. They have had royal assent over the last decade, presumably, or longer. Now we have printed them and we are confirming them. We think maybe some of them were entered into in error, but it is a little late for us to worry about that at this time. It may be a little early—perhaps I should put it that way.

Ms. Bryden: Mr. Speaker, we, too, are supporting this bill. We would like to have been supporting a set of revised statutes in both official languages of Canada, but we do not seem to have got to that stage yet in this Legislature.

One problem with the RSO is that while we have the six volumes, I do not believe we have yet received the index volumes, and their utility, of course, is diminished until we do get them. However, it is necessary to pass this legislation to authorize the revision, and we are very glad that is being done, so we are supporting the bill.

Mr. G. W. Taylor: Mr. Speaker, I have no further remarks, except to remind the members of the House in response to the member for Beaches-Woodbine that there is at present a translation service for some of the statutes of Ontario, and that is progressing with as great haste as is possible within the economic limits and the limits of the workers who are translating the statutes into French.

Motion agreed to.

Ordered for third reading.

REVISED STATUTES AMENDMENT ACT

Mr. G. W. Taylor, on behalf of Hon. Mr. McMurtry, moved second reading of Bill 185, An Act to amend the Revised Statutes of Ontario, 1980.

Mr. G. W. Taylor: Mr. Speaker, as you are probably aware, the statutes we just confirmed in the previous bill now have to be amended because there are some typographical errors, some errors of printing, some omissions. Bill 185, which also will be amended shortly when it goes into the committee of the whole House, is to correct those errors, to allow for the typographical errors. Other than that, it corrects

certain errors and omissions already in the publication that have been picked up by the legislative draftsmen and people who have used the revised statutes since they have been in existence from August 1.

Mr. Nixon: Mr. Speaker, as a farmer from South Dumfries township, I never fail to be impressed by the representatives of the government, particularly those learned in the law, when they start doing all these intricate and Byzantine operations to confirm what has already been done, and then change what we have just confirmed, particularly in this instance where we are providing an erratum for the work we have laboriously done all these weeks, months and years. In looking at the schedule of the bill, where the verbiage at present in the statute to be corrected is put forward in one column and the corrections are put forward in a parallel column, I am concerned.

Mr. Speaker, if you just look at the very first item, column two says we are changing in a routine way the legislation "by adding thereto the following section: '262a. An appeal lies to the divisional court from any order made by the court under this act.'" This is in the Business Corporations Act. Undoubtedly, everybody in this House feels there should be an appeal to an appropriate court, whether it is the divisional court or some other, but would you not think normally, if that were necessary and it had been left out of the original statute, the Attorney General (Mr. McMurtry) or whoever is responsible—in the case of the Business Corporations Act it would be another minister—would bring in an amendment setting out a procedure for an appeal and simply saying, "We made an error and we are adding this section"? This concerns me.

It also concerns me that the honourable member who has the carriage of this—I suppose it is true to call it housekeeping legislation, if there ever was any, because we are straightening up a whole list, many volumes of statutes—has given us notice of an amendment, which actually removes half the bill and replaces it by some other, almost incomprehensible verbiage. Is he sure they have it right this time? We have confirmed a whole shelf of statutes. Now we are having the errata, which seem to be fairly far-reaching in certain instances, and he has indicated the bill has to go to committee, because the bill itself has been completely fouled up.

I do not know what is going on. The Attorney General has platoons of high-priced help and

public relations officers who attend him as he moves about the province—and lots of cars and drivers; he does not have to worry about the ALERT or anything like that. Still we get this foulup. Maybe he needs a lot more staff.

Anyway, I am glad to see it is the member for Simcoe Centre who is taking the responsibility, because at least he is not a lawyer from downtown Toronto, and that is a step in the right direction.

9 p.m.

Interjections.

The Deputy Speaker: Order. The member for Bellwoods has the floor.

Mr. McClellan: Mr. Speaker, I hope the previous bill is passed tonight in time to be of benefit to the member for Sudbury (Mr. Gordon) and we can see how foolproof is the machine.

Interjections.

The Deputy Speaker: Order, please. Would the member for Sudbury let us get on with the comments and he can have his interjections later.

Mr. McClellan: Mr. Speaker, I am quite pleased—

Interjections.

Mr. Gordon: There is nothing wrong with my brain, I can tell you that.

The Deputy Speaker: Listen, if you keep it up, you are not going to be around here long enough for us to find out.

Mr. McClellan: Perhaps, Mr. Speaker, you and the member for Sudbury would like to go out of the chamber and have a conversation.

I am quite happy to support this statute, if I can get a word in edgewise, but I—

Interjections.

The Deputy Speaker: Order. We are going to have to crack the old whip, get the government whip out here and ask you to behave. Now that is it, over and done with. Everything was going fine. The member for Bellwoods has the floor.

Mr. McClellan: I basically said what I wanted to say although I note that one of the amendments changes the designation of Court of Appeal to divisional court.

Mr. Gordon: I knew you were in Bellwoods but you sounded like you were in the woods to me.

The Deputy Speaker: I have bad news for the member for Sudbury. I am going to ask you to leave the chamber for a while.

Interjections.

The Deputy Speaker: Order. The member for Bellwoods.

Mr. McClellan: Thank you, Mr. Speaker. I have concluded my remarks.

Mr. Riddell: Mr. Speaker, when the economic climate outside this Legislature is rapidly deteriorating to the point it is, I find it incomprehensible we are dealing with such trivial, innocuous bills such as confirming and amending statutes. It is hard to explain what we are doing in the Legislature to those people out there who are having to walk away from their homes, their farms and their businesses.

Mr. G. W. Taylor: Mr. Speaker, on these two amendments, we have heard from the fine lover of all lawyers in the province, the member for Brant-Oxford-Norfolk, who always takes great delight in reminding lawyers of their lack of ability. I would remind him, considering the considerable thousands of pieces of legislation in those six volumes, the amendments here are of an insignificant number and amount. Indeed, with all the words that are put through, the amendments are some 20 in number, which I think leaves a great deal of credit to the lawyers who prepare those.

One has to hark back—I do not want to spend too great a length of time on this—upon the fact that when these pieces of legislation go through over periods of time, they have been worked over, looked at and reviewed by the legislators of this establishment. Indeed, some individuals speak on them regularly with a great amount of authority and confidence as if they are the only ones who can insert the correct words, contrary sometimes to those which the drafting people of this assembly have put forward. So I think it is quite admirable that so few amendments are in there.

The comment by the member for Huron-Middlesex was that these are insignificant bills, and indeed they may be in the whole context of the matter, but they may save some individual litigants considerable sums of money. This is protecting some litigants out there from the ravages of some lawyer's bill that the member for the riding with the great name of

Brant-Oxford-Norfolk would surely like to see saved. Those are my closing remarks on this particular bill.

Motion agreed to.

Ordered for committee of the whole.

House in committee of the whole.

REVISED STATUTES AMENDMENT ACT

Consideration of Bill 185, An Act to amend the Revised Statutes of Ontario, 1980.

Section 1 agreed to.

On section 2:

Mr. Chairman: Mr. G. W. Taylor moves that sections 2 and 3 of Bill 185 be struck out and the following substituted therefor: "2(1) This act shall be deemed to have come into force on the first day of August 1981.

"(2) Notwithstanding subsection 1, the Court of Appeal shall be deemed to have and to have had jurisdiction to hear, determine and dispose of any appeal under a provision amended by item 3, 9, 11, 18, or 19 of the schedule set down in or adjourned to the Court of Appeal on or after the second day of August 1981 and on or before the seventh day of December, 1981.

"Section 4 of the bill be renumbered as section 3."

Mr. Nixon: The honourable member ought to tell us what the devil he is doing.

Mr. G. W. Taylor: Mr. Chairman, the honourable member could not resist having that knowledge. To explain to the honourable member, as was done when I received the amendment, the amending statute, Bill 185, has inserted in there the name of a court, being the Court of Appeal. These statutes that we have confirmed this evening have been in the hands of lawyers, even people acting as lawyers for themselves, and they have been in the hands of legislators. They may have advised people that the place to go to resolve this problem would be the Court of Appeal.

However, in the intent of the original legislation and the correct court procedure, that is the wrong court. So basically we are changing the name of the Court of Appeal to the divisional court, which is the proper court to appeal any of the issues under the particular pieces of legislation we are amending.

9:10 p.m.

Chief Justice Howland has brought this to our attention and this a piece of retroactive legislation. One would not want a piece of retroactive legislation to go through these hallowed halls.

However, there will be some people who would arrive in the wrong court if they read the bound black volumes on the desks of lawyers and shelves of libraries. Having got to the wrong court, they may not have received the remedy they intended. They may indeed have lost their remedy, they may be subject to large court costs and lawyers' fees, and I am sure the honourable member who brought this to our attention would not want those litigants to be harnessed with large legal fees.

Therefore, we are bringing this amendment retroactively to preserve what was originally intended and to correct our earlier omissions.

Mr. Chairman: That was certainly clear.

Mr. Nixon: I suppose it is clear. It is clear that the mighty government of Ontario, headed by the chief law officer of the crown in this instance, who has independent responsibilities and is resting himself before he comes back in for some triumphant vote in a few minutes, actually permitted the revision of a decade's worth of statutes to go forward with an incorrect reference.

Then the minister corrected it with the correcting statute, and the poor chief justice, who is a busy person himself, in perusing the bills of the government, said, "Here, what is all this?" and found that the whole correction was wrong. He brought it to the attention of all these law officers of the crown and their highly paid minions.

As a lawyer yourself, Mr. Chairman, does it not concern you that perhaps no one over there is minding the store? They are passing down the responsibility until the girl who answers the phone in the Attorney General's office probably has the responsibility for correcting the statutes, because it is passed down and down. It is a shame, it really is.

Naturally, we have to accept this. We hope it does not have to get corrected tomorrow or next Monday, but until such time as the Liberal Party takes over the responsibility of the government of Ontario, it will have to do.

Mr. G. W. Taylor: I think it is quite remarkable that we only need to make five incidental, minute, little corrections in the thousands of words, sections and acts that are dealt with in this House.

Motion agreed to.

Section 2, as amended, agreed to.

Section 3, as renumbered, agreed to.

Preamble agreed to.

Bill 185, as amended, reported.

MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Consideration of Bill 147, An Act to facilitate the Negotiation and Resolution of Municipal Boundary and Boundary-related Issues.

Mr. Rotenberg: Mr. Chairman, as is the custom in committee of the whole House, may I have the permission of the House to have several staff members sit at the table in front of me during this debate in committee of the whole House on this bill?

Mr. Chairman: Agreed. Will you call them forward and then we will begin the bill?

On section 1:

Ms. Bryden: Mr. Chairman, I just wanted to ask a question about section 1(e), which to my mind is the beginning of the many sections in this bill that give rather wide powers to the minister. We have some concerns about the number of powers that are given to the minister and the breadth of them.

Section 1(e) defines "party municipality" as meaning "a municipality having a substantial interest in an issue raised by an application under section 2," which is an application to have a boundary change, "as determined by the minister or the chief negotiator." Could the parliamentary assistant tell us what is a substantial interest?

Mr. Rotenberg: Mr. Chairman, first of all, it would be any municipality which is actually engaged in the dispute. Let us take Barrie and Innisfil. Barrie and Innisfil both have an interest, so obviously they are there. If there were a third municipality that had an interest, even though it were not actually a party to the dispute, it could also be part of the procedure.

I guess substantial interest is really a matter of discretion. Certainly, the way the negotiations are set up in effect really gives the minister more discretion to bring in municipalities other than maybe just the two that are involved in a dispute.

Ms. Bryden: Is a substantial interest based on matters of size involved, or on matters of population, or on matters of economic interest? What are the criteria to decide a substantial interest?

Mr. Rotenberg: It starts as certainly any municipality that has a legal interest or a financial interest in the matters. Beyond that it is simply a matter of discretion whether a munic-

ipality is deemed to have an interest. I guess the reason the word "substantial" is in the act is that a municipality may be 50 miles away and thinks it has an interest when it does not, and in that case it does not have to be a party to the dispute.

Frankly, it really gets down to the philosophy of the bill, which is to be a negotiation and not a legal hearing before the Ontario Municipal Board. Therefore, there has to be some discretion in the mediator. In this case the chief mediator in effect is the minister, who appoints other people as fact-finders and so on, and there has to be in any mediation some discretion as to who comes in and at what time.

Section 1 agreed to.

Section 2 agreed to

On section 3:

Ms. Bryden: Mr. Chairman, once again it is a matter of definition. Section 2, which is the basis of this act, under which municipalities apply for a boundary adjustment, does not apply to regions except when "in the opinion of the minister" the issue is "of a minor nature." Again I would like to know what is a minor nature that would bring an issue within a region under this act?

Mr. Rotenberg: Mr. Chairman, to relate it to an area that the honourable member would be quite familiar with, if the city of Toronto wanted to annex the entire area of East York, that would not be of a minor nature because that is something that amends the whole Metro act; but if they wanted to have some kind of negotiation to adjust their boundary along that area just north of the Danforth between York and East York, where it is kind of squiggly, that would be a minor-nature thing. Both municipalities, the city of Toronto and East York, could come in under this to have a minor boundary adjustment between the two municipalities.

Mr. Nixon: Mr. Chairman, I would like to ask specifically about that as well. For example, in the exclusions of the regions, you have included the restructured county of Oxford. If the member for Oxford (Mr. Treleaven) were here, I might go through the old argument that by including it, it is a tacit admission that you have applied a regionalizing statute to Oxford. They have been suffering under this now for a good long time, but when you exclude Oxford, are you at the same time excluding the particular boundary dispute between the restructured county of Oxford and the regional municipality of Haldimand-Norfolk?

I am sure the parliamentary assistant is aware

that even though he has taken that Draconian action of imposing restructuring and regionalization on those areas, resulting in the dislocation of local autonomy and the imposition of much higher rates of local taxation, there is still the same boundary dispute as if they were two minor municipalities. The development of Tillsonburg has gone on across the border, in the regional municipality of Haldimand-Norfolk, with the building of a very large, attractive shopping centre in my constituency even though it is related to the business community of Tillsonburg.

There has been a good deal of development there. Tillsonburg is under the mistaken apprehension, I suppose, that the border ought to be moved out to include all that, so that it would become a part of the restructured county of Oxford. The Minister of Municipal Affairs and Housing (Mr. Bennett), or the parliamentary assistant, should know that there is a serious dispute there. My own feeling is that it would be best settled by the application of Bill 147, if both sides would accept it and perhaps they would, rather than to go for a municipal board hearing. Or if that particular dispute is specifically restricted and left out, then what are you going to do about that situation?

Mr. Rotenberg: Mr. Chairman, these two municipalities have not as yet approached the ministry for settlement, but if they do it is our opinion that this well could be deemed to be minor in the nature of Bill 147 and could come under the terms of the bill. If we got a dispute of that nature that was considered a little larger and did not come under Bill 147, if both municipalities agreed, they could set up an informal process the way Brant and Brantford did, not within the bill. The particular dispute you have mentioned, we consider would probably come under the "minor" category and would be under this bill.

9:20 p.m.

Mr. Nixon: I am glad it may very well come under the bill, because personally, from my experience with Brantford, I feel it would be the best mechanism. But I have a feeling you really are sort of attempting to save face on behalf of your predecessors.

At the time the restructuring and the regional municipality were both imposed on the area, it was pointed out by people locally, and by me and others as their spokesmen here, that there was a continuing problem and the fact we had gone to restructuring and regionalization would not bring about a solution. I can assure you the problem is an extensive one. If you deem it

minor for the purpose of this statute I accept it, but I do not think you should be kidding the people locally into continuing the simply impossible position that your previous actions solved the problems of the area, because they did nothing but make them worse, unacceptably worse.

Mr. Rotenberg: With respect, we are not here to rehash what may or may not have been correct in the regionalization of those areas in the honourable member's riding.

Mr. Nixon: Section 3 is just face-saving.

Mr. Rotenberg: As I say, the point of section 3 is that we have such major things. As I indicated to the member for Beaches-Woodbine, this cannot be used for major restructuring within regions but can be used for minor ones, which the situation of the member for Brant-Oxford-Norfolk would come under.

Ms. Bryden: The parliamentary assistant touched a rather raw nerve when he talked about adjusting the boundaries just north of the Danforth, since that is my riding boundary between East York and myself. I do not consider that of a minor nature.

However, the question I would face is whether I would be better off in the hands of the region having the say on the adjustment, if any was contemplated, or whether I would be better off under this bill by having the negotiation and procedure with the minister's opportunities to intervene. I am not sure which is better.

It seems to me that if you are going to give the regions the power to adjust boundaries within their own area for most matters, I do not see why you do not give it to them completely and not have this sort of minor-nature thing where the minister can stick his foot in.

Mr. Rotenberg: With respect, we are not giving the regions any power. If it were deemed to be minor, it would go through this process; if it were anything more than minor, it would have to be done by legislation. The region would have no power in any way to adjust its boundaries. If it were anything more than minor within a region, such as, let us say, Toronto annexing all of East York, that would have to be done by this Legislature; it cannot be done by this procedure. The regions themselves have no power to adjust without either the procedure or legislation.

Mr. Epp: Mr. Chairman, I would like to ask the parliamentary assistant a question. Is it not true that, irrespective of what is laid down in this legislation or what is laid down in previous

legislation, this Legislature at any time can make any arrangements with any municipalities, come in here and, with the government's tremendous majority, restructure the whole province any way it wishes?

Mr. Rotenberg: Yes, technically the honourable member is correct. This Legislature is supreme in municipal matters under the British North America Act. Technically, by new legislation, this Legislature could override this act, the Ontario Municipal Board Act, the regional act of Kitchener-Waterloo, the regional act of Metropolitan Toronto or any act. Technically, of course, they could do that. We all know that.

Section 3 agreed to.

On section 4:

Ms. Bryden: Mr. Chairman, I have an amendment on section 4 which has been sent to the table and the other parties. If you do not have a copy, I have one here.

The Deputy Chairman: Ms. Bryden moves that section 4(2) of the bill be struck out and the following substituted therefor:

"Where the minister has inquired into the issues raised by an application, the minister shall (a) obtain the opinion of any school board that he considers is affected by the application, and (b) obtain the views of the public by convening at least one public meeting in each party municipality."

Ms. Bryden: To explain why I am moving this amendment, in his remarks on second reading, the minister said the bill was increasing greatly opportunities for public participation in the process of adjusting boundaries. I will agree the bill has some very good provisions in it for public participation after the negotiated settlement has been reached.

There has to be a public meeting to explain it to the residents, and there has to be a public council meeting at which it will be adopted. But also at that public council meeting, the legislation specifically says any objector has the right to be heard. I think that is good legislation, but that sort of process should apply at several stages in the process.

This is the first stage where something is happening but the public is not involved. One or more municipalities make an application that they wish to have a boundary adjustment. The minister then appoints somebody to look into it. If a settlement is not reached immediately, he gets the negotiating process going. The public is not involved until the whole negotiation is over and there is something ready for adoption by

council. All this amendment does is bring in the public at the application stage. The only change the amendment makes is to add subsection 2(b); 2(a) is simply a repeat of what is already in the act. It is just put there for the convenience of having the (a) and the (b) written down in the same section.

Under 2(b), all we are asking is that after the application has been received by the minister and he starts to collect views from school boards and any other body he thinks should be consulted about the proposal, he also consult the public. He can consult the public by convening at least one public meeting and explain to them that municipality A and municipality B would like to be annexed to each other, would like to take a piece of each other's territory, or some other boundary adjustment. I think that is perfectly reasonable and fits in with the concept of involving the public at all stages.

Mr. Rotenberg: Mr. Chairman, I would not accept the amendment as proposed. First, under the present system of annexations, there is no requirement at any time for public hearings. A municipality can put in an application to annex all or part of another municipality to the OMB. Not only do they not have to tell their own public, they do not have to tell the other municipality.

9:30 p.m.

There is adequate procedure in this bill, I feel, for mandatory public hearings by this process. There are two: first, when a municipality decides it wants to enter into an agreement, that agreement must be placed before a public meeting of the council of which the public is informed; and second, if the minister is going to give an order then he must publish that order, and there are 28 days for objections.

I think there is a difference between mandatory public hearings and informing the public. Every municipality has the political responsibility if they are doing anything serious to call a public meeting and inform the public. But let us remember that this process can also be used for some very minor adjustments. I can think of one, which I will refer to later as well, where a municipality built an arena and a parking lot. They found the parking lot was in an adjacent municipality, and I think two acres were transferred from one municipality to the other. I do not think if that application goes forward that sort of thing needs a mandatory public hearing in the initial stage.

Under section 12 there is a requirement for a

public hearing at the stage of the municipalities, and under section 17 at the stage when the municipality issues an order. There are two mandatory public hearing stages. There is no question in my mind that the fact-finder, the negotiator, if he is in any way doing his job, will ascertain whether or not there should be some nonmandatory notice to the public. I have confidence in the system that the public will be informed enough. I do not think it is necessary to have another mandatory public meeting.

Mr. Gillies: Mr. Chairman, I wonder if, using the Brant-Brantford example, the parliamentary assistant could advise us whether the public meetings held in Brant-Brantford at the time were held at the instigation of one of the municipalities involved or at the instigation of the ministry, because there were public meetings at that time. My recollection is that the city of Brantford and the township of Brantford took the initiative.

Mr. Rotenberg: Mr. Chairman, my recollection is that there were many public hearings. I think many of them were at the instigation of the municipalities; they were nonmandatory. There was a stage where the ministry made sure that public meetings were held. I cannot remember whose auspices they were under.

Ms. Bryden: My point is that it should be mandatory rather than left to the whim of the municipality so the public is informed when proposed changes are coming up.

Mr. Epp: Mr. Chairman, I see no difficulty with having a public meeting at an early stage when the public would have an opportunity to have input. This would be beneficial both to the province and to the parties involved, and I hope the parliamentary assistant will not be so intransigent and that he will be more flexible in trying to adopt some reasonable amendments which have been suggested.

The Deputy Chairman: All those in favour of Ms. Bryden's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Amendment negatived.

Sections 4 and 5, inclusive, agreed to.

On section 6:

The Deputy Chairman: Ms. Bryden moves that section 6 (1)(d) be struck out.

Ms. Bryden: This clause in section 6 underlines our point that the minister is given too much power in this act and that the act is rather loosely written as to the powers of the minister.

It appears there are several catch-all clauses that really say, "If there is anything we have forgotten, the minister can do it anyway." I think this is contrary to the role of the legislative process and of legislative democracy. Bills should spell out exactly the powers you are giving to people rather than have these catch-all clauses.

The clause simply says that following the sending of a report under section 4, which is the negotiated settlement, the minister may take such other action as the minister considers appropriate. This is a complete *carte blanche* to do what he likes. I might also point out that section 13(g), which we will be coming to in a few minutes, has exactly the same phrase and I will be moving that it also be struck out. I do not really think the minister needs that power. His powers are fairly carefully spelled out. If he has forgotten anything he can come back to the Legislature for additional power.

The Deputy Chairman: Just to clarify: When the amendment is presented to the House, it will be placed, "Shall section 6 stand as part of the bill?"

Mr. Epp: Mr. Chairman, I share the concerns of the member for Beaches-Woodbine, except that I would hate very much for the government to have to come back every time to this Legislature to get additional powers to do something. Being the critic over the last four years I find, for example, the Municipal Act comes back two or three times every year to have amendments placed in it. It is under constant review.

I think this act would be back here two or three times a year as we find changes. I think we have to give the minister the benefit of the doubt in this case. If we find he abuses his prerogatives then obviously those have to be taken away in the future. For now I would like to give him the benefit of the doubt and go with the minister on it, and hope he does not abuse those privileges this Legislature gives him. On that basis we will oppose the amendment.

Mr. Rotenberg: We have to understand that we are setting up a political, not a judicial, process. This is a political process between the minister and the various municipalities. It is still on somewhat of a trial basis. There are going to be a lot of new ideas and new problems come up which we have not anticipated when we wrote this bill, even though we have the experience of Brant-Brantford and Barrie-Innisfil. Things are going to come up—and I thank the member for

Waterloo North for pointing this out—where the minister is going to have to do something slightly different than is foreseen in the bill.

But I would point out to the member for Beaches-Woodbine that there is the protection to the public. Although the minister in this case can take some other action if he deems it appropriate, if he wants to issue any kind of order under section 14 then there must be the mandatory public notices. If there is going to be an agreement there must be the mandatory public meeting. So there is some protection. The minister can do certain things in process but he cannot issue any orders without the protection of the other clauses of the bill.

The Deputy Chairman: Shall section 6 stand as part of the bill?

All those in favour say "aye."

All those opposed say "nay."

In my opinion the ayes have it.

Motion agreed to.

Mr. Epp: Mr. Chairman, I would like to comment for a moment on section 6(2). It says: "Where a party municipality fails to appoint members to the negotiating committee within the time stipulated by the minister in a direction under clause (1)(c), the minister may appoint from among the members of the council of the municipality the requisite number of persons to be members of the committee."

I would like to ask the parliamentary assistant what he is going to do if people refuse to sit. If the council does not agree with setting up this committee, the minister is going to appoint people and they may refuse to sit. So what is the minister going to do in that eventuality? This apparently has not been dealt with here. What are you going to do if people refuse to participate?

Mr. Rotenberg: Mr. Chairman, it could be that a council in its majority may not want to sit on the committee, but some minority members want to. Really, what it gets down to is that if, for some reason, the council does not appoint members, we would appoint them. In effect, if one municipality will not act, the whole process falls apart and the process will not continue.

If the government in its wisdom feels that despite the fact one municipality refuses to participate in the process, something should happen—that municipality A has made an application in good faith but municipality B, as the honourable member for Beaches-Woodbine would say, is bargaining in bad faith—it would be the prerogative of the ministry to bring some

form of legislation before the House to correct the problem if we deemed that would be necessary. We could not continue the process if one municipality refused to participate.

Section 6 agreed to.

9:40 p.m.

On section 7:

Ms. Bryden: On section 7, which provides for the appointment of the chief negotiator by the minister following the appointment of the other members by the party municipalities, I would like to ask whether the minister will automatically consult the appointees of the party municipalities or the party municipalities themselves on his proposal for the chief negotiator, in order to see that the person is acceptable to both sides. It seems to me this is often done in appointing tripartite committees, or it may be more than tripartite in this case.

To try to get some sort of agreement among the parties as to the person who will serve as the chief negotiator would, I think, be an assist in the negotiations. I would like to know where he will find the chief negotiator. Will he be a paid civil servant or will he be somebody from a panel of negotiators, perhaps containing persons who have been nominated by municipal organizations to some extent, or will it be left completely to the discretion of the minister? Will there be no consultation with the party municipalities?

Mr. Rotenberg: The chief negotiator will be a provincial civil servant attached to the boundary secretariat of the municipality. In the ministry there are now two people who are designated to be chief negotiators, if and when this legislation passes. That will be, in effect, their permanent job, to be the chief negotiators. They will be people who are knowledgeable and experienced in municipal affairs and they will be permanent in those jobs. In my opinion, especially in this kind of situation, you do not want an arbitrator, you want a mediator; therefore, it has to be someone totally knowledgeable in all aspects of municipal affairs and, as such, would be a provincial civil servant.

Ms. Bryden: Could I just ask you, if there is more than one, would it be possible to tell the party municipalities that Mr. A will be available, and if they have some particular objection or do not like his last decision they could then have Mr. B appointed?

Mr. Rotenberg: Again, this process only works if the party municipalities have some faith in the process. If negotiator A is for some

reason unacceptable and B is more acceptable, of course we have to consider that in appointing them, because the process, as I say, will work much better if both parties are satisfied about whom we appoint. So we would take that into consideration.

Section 7 agreed to.

Section 8 agreed to.

On section 9:

Ms. Bryden: Mr. Chairman, on section 9 I would like some clarification on the issues review panels. The legislation does not tell us who they are or what their qualifications are, and really does not even tell us what happens to their recommendations when they do send them in, whether they end up in the wastepaper basket or whether they are circulated to the party municipalities. It would be useful to have some more information on them.

Mr. Rotenberg: Mr. Chairman, unlike section 7, an issues review panel would be made up of noncivil servants, who would be either experts in a specific field, if we needed an issues review panel on a specific field, or more likely general municipal experts from outside the civil service and outside the municipality. They may be some well-recognized municipal civil servants from some other location. Although the process is not mandatory, the chances would be, if there were three designated on a panel, we would be interested in nominations from the party municipalities of people who are not attached to those municipalities, but whom the municipalities recognize as persons who are, in effect, guest experts on the issue or issues to be resolved.

Ms. Bryden: Is an issues review panel appointed in every case when there is a negotiation going on, or just when some issue comes up you wish referred to the panel?

Mr. Rotenberg: Under section 1 the minister may appoint a panel if it is considered necessary in some situations. But under section 2 you will notice that where a negotiating committee has been constituted, there must be a panel appointed from whom that committee can seek professional advice. That would be mandatory where a negotiating committee has been set up.

Section 8 agreed to.

Sections 9 to 12, inclusive, agreed to.

On section 13:

Mr. Chairman: Ms. Bryden moves that section 13(e) of the bill be amended by striking out all the words after "board" and inserting in lieu thereof, "to hear any party, municipality or

person and after a hearing to make a determination and issue an order implementing its decision."

Ms. Bryden: Mr. Chairman, this is a fairly important amendment in the view of the party on this side of the chamber. We feel the role of the Ontario Municipal Board under this legislation has been considerably circumscribed in a number of instances and this is one of them.

Under section 13, after objections have been received from people who attended the public meeting and the public council meeting on the proposed negotiated settlement, the minister may make orders; or he may refer issues back to the negotiating committee or to an issues review committee; or he may terminate the application; or under section 13(e), which is the subject of my amendment, he may refer the issue to the Ontario Municipal Board.

The difference between a normal hearing of the OMB under the Municipal Act and under this bill is that the OMB will not make a determination. It will simply make recommendations to the minister. It will be another issues review panel as far as I can see, but it will be a somewhat more formal one in that it will presumably follow the Ontario Municipal Board's procedure of quasi-judicial hearings, which is a good thing if there is a serious objection.

If this route is followed, referring the issue to the OMB, there will be an opportunity for a quasi-judicial public hearing, but once the hearing is over, there will be no determination by the board that has heard all the evidence. There are simply recommendations to the minister and he and the cabinet will then decide, so it immediately goes to the political rather than the judicial process for settlement of this particular objection. My amendment puts back the power of the OMB to make a determination rather than recommendations.

Under the present Municipal Act there is a power of appeal from OMB decisions to the cabinet. As long as that remains in the Municipal Act, that would still be there. As I am sure most members are aware, the proposed new Planning Act will eliminate that right of appeal to the cabinet from OMB decisions, but until that new Planning Act is in effect, there is still an appeal to the cabinet.

What we are asking by this amendment is that the OMB hear referrals on objections that appear to be suitable for going to the municipal board for hearing if they are of a substantial nature, and that it make the decision but that there be a final appeal to the cabinet.

9:50 p.m.

Mr. Rotenberg: Mr. Chairman, this amendment really gets down to the very heart of the bill, and the very point in which this bill is so well written, so strong, and has the agreement of the municipalities and the municipal associations. As a matter of fact, the working group of the interministerial association is very strong on this clause as it now is.

I can quote from the debate the other night. The member for Welland-Thorold (Mr. Swart), the colleague of the member for Beaches-Woodbine, said "Although most of the bill, from the comments you have heard to this time—certainly the principle of the bill—is not controversial, many of the proposals will, in effect, provide a more democratic method of arriving at planning decisions, in that those decisions will not now, at least not to the same degree, be made by a court or a quasi-judicial body but will be made by elected representatives."

The member for Welland-Thorold was right on. The whole philosophy of this bill is that the OMB is taken out of the decision-making process and it is given to the politicians, where the ultimate responsibility should lie. If we follow the route that the member for Beaches-Woodbine has indicated, in effect we are back to the Barrie-Innisfil situation, where there will be an OMB hearing, a full-blown hearing. I am sorry the member for Brant-Oxford-Norfolk (Mr. Nixon) is not here to describe all those chauffeur-driven lawyers driving up to Barrie, and the millions of dollars spent in hearings.

If we adopt the amendment, we are right back to the multimillion-dollar lawyer and consultant fees before the board and the full-blown hearing. The purpose of this process, and this is the heart and the guts of the process, is that the OMB does not get into the decision-making process. The OMB does not hold a full-blown hearing, it is a political responsibility, and that is where the member for Welland-Thorold said, and I agree with him, that the responsibility should lie.

We do not want to put the OMB back into the position in which it was before. The whole purpose is to change the process, and that is what it does. If we adopt the amendment from the member for Beaches-Woodbine, and the second one following, in effect we are back to the old process and that is not what this whole bill is about.

Mr. Epp: Mr. Chairman, I have had the opportunity of speaking to a number of municipal politicians on this particular bill, particularly those who have participated in the discus-

sions leading up to the bill. Their particular concern was that we should not rearrange the bill too much, because what this bill is trying to do is expedite some kind of decision making and if we put in too many ifs, buts and whens, and refer too many things to the OMB, we will be right back to the old game and repeat what happened in Barrie and Innisfil.

I find it somewhat difficult to support this amendment, and on that basis we will be opposing it.

Ms. Bryden: Responding to the parliamentary assistant, when there are serious objections to a particular negotiated settlement, it seems to me that is the stage where we do not want an entirely political process, controlled entirely by the minister. This is what this bill provides. We want some impartial body to rule on the objection and to see whether it has validity, letting all parties have an opportunity to present their cases.

The OMB has caused considerable delays in many annexation cases. I should not say the board has caused them, but there have been protracted hearings because of the many interests involved and the need for hearing all the various lawyers. We now have the consolidated hearings legislation that came in last June, which might speed up some of those hearings by allowing environmental assessment hearings that may be involved to go along together with the OMB hearings.

There has been a lot of argument in this province as to whether the OMB is a good purpose or whether it is a bad purpose, in that it causes a great amount of litigation and expense to people involved in OMB cases. On balance, I think the general public feels the OMB has been a safeguard for individuals and local organizations against arbitrary government power, or against decisions that appear not to take account of all interests.

Many of their decisions have been rather good compromises between conflicting interests, so we feel it is worth keeping the OMB in this legislation as a sort of safety net for when there are cases of significant objections and people do not feel they have been fairly treated by the negotiating process, and do not feel they wish to leave it entirely to the minister to sort out whether the objections are valid or not, and to give cognizance to them. Therefore, I think it is still worth keeping the OMB decision-making power in under this particular section.

Mr. Rotenberg: Very briefly, this hearing stage is not the final stage. This is where the

OMB is asked to referee a dispute between the party municipalities. If the members of the public are not satisfied there are two processes. If we look at clause 13(b), one is that the minister may refer this back to the municipalities for further public hearing or negotiations. After this happens, this is not the final decision; it goes to the minister and if the minister issues an order then there is still a 28-day period for the public to object thereafter. So the public is certainly not cut out of the process.

Mr. Chairman: Ms. Bryden has moved an amendment to section 13(e).

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Mr. Chairman: Ms. Bryden moves that section 13(g) not stand as part of the bill.

Ms. Bryden: Mr. Chairman, the amendment on section 13(g) is identical to the one I moved on section 6, which was not passed. I guess I will move it again but it is exactly the same, striking out the same kind of section in this clause as I thought should be struck out of section 6.

I would like to read for the record what section 13(g) says. It simply says that "after the expiration of the time for informing the minister of the opinions of the councils" the minister may do a number of things, six all told, such as referring it to an issues review panel. Finally he "may take such other actions as the minister considers appropriate." That is the clause I would like to see struck out.

Mr. Epp: Mr. Chairman, my comments would be the same as pertained to section 6(d) and we will be opposing the amendment.

Mr. Rotenberg: Mr. Chairman, my comments are the same as those of the member for Waterloo North.

Mr. Chairman: Ms. Bryden has moved that section 13(g) shall not stand as part of the bill.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

10 p.m.

Ms. Bryden: Mr. Chairman, since the amendment to section 13(e) was defeated, the further amendment to section 13 is not relevant because it was the one requiring the decisions of the OMB to be appealed to the cabinet. Since we

did not succeed in getting the OMB to make decisions under this clause, I am withdrawing that one.

Section 13 agreed to.

On section 14:

Mr. Chairman: Ms. Bryden moves that section 14(b) shall not stand as part of the bill.

Ms. Bryden: To explain, this is a second instance, but in this case it is the Lieutenant Governor in Council rather than the minister who may refer one or more issues to the municipal board to give effect to or vary the recommendations of the municipal board.

Once again, if we have the municipal board making decisions, the Lieutenant Governor in Council does not need the power to refer the issues to the board because he would not have the power to vary the recommendations except when it was appealed to the cabinet. So this is another amendment that depends on the proposal that the municipal board should make decisions and that there should be an appeal to the cabinet. If that went into effect, then section 14(b) would not be necessary.

The other one was defeated, so we might as well withdraw this one.

Section 14 agreed to.

Sections 15 and 16 agreed to.

On section 17:

Mr. Chairman: Ms. Bryden moves that section 17(1) of the bill be amended by striking out all the words after "notice" in the third line and inserting in lieu thereof, "by publication in a newspaper or newspapers having general circulation in the party municipalities of the intention to make the order."

Mr. Rotenberg: Mr. Chairman, I may be able to save time by indicating I would support this amendment.

Ms. Bryden: That is very good news because I think the legislation was too vague in the kind of notice that had to be given to the public of the minister's plans to issue an order under section 14. There were 28 days during which the order could not be issued after the notice had been given, but unless the people really knew the order was contemplated and were notified through ads in the local newspaper, which is the most common method of informing people of things of this sort, it could happen this protection would not be a protection to the citizens. I am glad the minister is accepting that one.

Mr. Epp: Mr. Chairman, we had planned to

support this amendment, and I am glad to see the government has accepted it. That is a worthwhile change.

Mr. Chairman: Those in favour of Ms. Bryden's amendment to section 17(1) will please say "aye."

Those opposed will please say "nay."

In my opinion the ayes have it.

Section 17, as amended, agreed to.

On section 18:

Mr. Chairman: Ms. Bryden moves that section 18(5) be amended by adding, "but only after having pursued one or more of the actions allowed under clauses 1, 2, 3, or 4 of section 18."

Ms. Bryden: Mr. Chairman, section 18 says that "where objections are received" after the notification has gone out to the public about the intention to issue an order, the Lieutenant Governor in Council has one of five options to follow:

First, it can refer the matter back to the party municipalities, and perhaps they can work out an accommodation to the objector.

Second, it can seek the advice of an issues review panel. Perhaps it is a complicated particular issue.

Third, it can appoint one or more hearing officers to hear any objections which would be an introduction of public hearings, presumably where the objection is considered of a very significant nature.

Fourth, it can refer the objections to the municipal board for a hearing and for recommendations.

Fifth, the original act before us said the Lieutenant Governor in Council can also decide "that the objection or objections is or are outweighed by the public interest."

It seems to me that gives the cabinet full authority to just toss objections into the waste-paper basket — to say they are not in the public interest. I do not think we should have that kind of a loose clause in the legislation. That is why my amendment suggests that the cabinet must first pursue at least one of those four other options before they reject the objection. This will mean there will be some sort of day in court for the objector, or some attempt to get the party municipalities to make an accommodation, which might take account of the objection. I think that is essential when it is an order that is going to be put into effect. There must be some sort of appeal or some opportunity for objections to be heard.

That is why I am moving this amendment, to

require the Lieutenant Governor in Council to take one of the four sections before he is given the authority to decide that the objection is not in the public interest.

Mr. Epp: Mr. Chairman, I think this is a worthwhile amendment. It is important that the public not only have an opportunity to have input, and there be different options for them, but also that the perception be there. The first four choices are well put as far as the legislation is concerned. I see no need to have the fifth one unless the first four are dealt with. So I would support the amendment.

Mr. Rotenberg: Mr. Chairman, under the present Ontario Municipal Board rules, both for zoning bylaws and for annexation, the OMB has now the power, in effect, not to hold a hearing if it deems the objections to be "frivolous." When an official plan amendment is referred to the minister, if the minister feels an objection is frivolous, he does not have to proceed.

This section has to be there for the reason that though one has an agreement by the municipalities, one has had public hearings and has had everybody come in, in a major dispute, let us say in Brant-Brantford, one person may have had a frivolous objection. To have to go through the whole process over again for something that everyone knows is frivolous, is a waste of time and a waste of money. It could be an awful waste, say, in the Barrie situation. We have solved the whole problem. If one ratepayer came in with a frivolous objection, then the whole process could be thrown into a cocked hat.

If one wants to understand how this power will be used by the minister, I simply refer to the Barrie bill where we have one objection that has come in with a request for a hearing. We are holding the hearing next Wednesday morning. Even though, on the surface, it would appear that the request of this developer is totally contrary to the spirit of the agreement, we feel that is not frivolous and we are holding that hearing. A similar type of philosophy would be followed by the minister in the process. It is necessary for those odd times when something comes in which is totally frivolous and should not waste the time of the agreement.

10:10 p.m.

Ms. Bryden: Mr. Chairman, the present act uses the word "frivolous" as a ground for rejecting objections or for the Ontario Municipal Board not having public hearings. This legislation does not use the word "frivolous." It

has a much more serious and broad reason that the minister can use as an excuse for not paying any attention to the objection, and that is to consider the objection is outweighed by the public interest.

The public interest is a very big thing. The minister is being given the power to decide what is in the public interest rather than what is frivolous. Therefore, I think that we still need the minister to have some other body besides himself look at the objection and decide whether it is frivolous, if that is the intent of the legislation. It would not take very much time or cost very much to refer it to the issues review panel which is already constituted and sitting there waiting for a referral. It could probably deal with anything that might be considered frivolous in a hearing of an hour.

The way this is worded, the minister has great powers to say he knows what the public interest is, and this objection is not in the public interest.

Mr. Chairman: The honourable member for Beaches-Woodbine moved an amendment to section 18 of Bill 147. All those in favour of the amendment will please say "aye."

Those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 18 agreed to.

On section 19:

Mr. Rotenberg: Mr. Chairman, in effect section 19 does almost what the previous bill, introduced by my colleague the member for Simcoe Centre (Mr. G. W. Taylor) a little while ago, does, which is that where some things in the final agreement are not in accordance with the intended agreement, it gives the minister the power to make changes in the agreement as may be required without referring back to public hearing. I can understand that section 19 as it is written might cause some concern because although it was not intended to be, it leaves it somewhat wide open.

Mr. Chairman: Mr. Rotenberg moves that section 19 be struck out and the following substituted therefor:

"19. Where in the opinion of the minister an order made under section 14 does not fully carry out the intent or purpose that was intended the Lieutenant Governor in Council may, at any time, upon the recommendation of the minister, rescind, change, alter or vary any order made under section 14 and, unless the Lieutenant Governor in Council determines otherwise, section 17 does not apply to any such subsequent order."

Mr. Rotenberg: The purpose of the amendment is to indicate that the minister can use this power only where the agreement does not carry out the intent that was originally intended.

Ms. Bryden: Mr. Chairman, our objection to this clause as originally drafted was that section 17 does not apply when there is an amendment variation, rescinding any variation of an order issued by the Lieutenant Governor in Council regarding a negotiated settlement. The minister has attempted to allay some of our fears that those changes or rescissions or variations would be significant and would effect a lot of people concerned by suggesting that they would relate only to carrying out the intent of the order.

However, I feel these words are too difficult to define, and it is possible that there could be a substantial change involved such as it might say that the original negotiation was to cover 100 hectares of land being transferred from one municipality to another, but when we looked at the maps we decided that 120 hectares of land was involved. This would be a matter of significance to the people living in that area.

I do not feel the minister's amendment solves the situation because it still allows that section 17 does not apply. Section 17 is the clause which calls for public input on any order for notification of the public 28 days before an order is adopted. We feel this same notification and opportunity for the public to comment should be made for any rescission, change or variation of an order.

Mr. Chairman: It is now 10:15 p.m. Would the committee consider at least finishing off this section? We were in the middle of an amendment. I would ask the member for Beaches-Woodbine, after we deal with this amendment, are you going to propose your amendment? You are. Any further discussion on the parliamentary assistant's amendment?

All in favour of section 19, as amended, will please say "aye."

All opposed will please say "nay."

In my opinion the ayes have it.

Section 19, as amended, agreed to.

On motion by Hon. Mr. Gregory, the committee of the whole House reported one bill with a certain amendment and progress on another bill.

10:30 p.m.

HIGHWAY TRAFFIC AMENDMENT ACT (concluded)

The House divided on Hon. Mr. McMurtry's

motion for second reading of Bill 178, An Act to amend the Highway Traffic Act, which was agreed to on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Bennett, Bernier, Birch, Brandt, Breaugh, Bryden, Charlton, Cooke, Cousens, Cureatz, Dean, Drea, Eaton, Elgie, Eves, Fish, Gillies, Grande, Gregory, Grossman, Harris, Havrot, Henderson, Hennessy, Hodgson, Johnson, J. M., Kells, Kennedy, Kerr, Kolyn;

Lane, Laughren, Leluk, MacDonald, MacQuarrie, Mackenzie, Martel, McCaffrey, McCague, McClellan, McLean, McMurtry, McNeil, Miller, F. S., Mitchell, Norton, Philip, Piché, Pollock, Ramsay, Robinson, Rotenberg, Runciman;

Scrivener, Shymko, Snow, Sterling, Stevenson, K.R., Taylor, G. W., Taylor, J. A., Timbrell, Treleven, Villeneuve, Walker, Watson, Wells, Williams, Wiseman, Yakabuski.

Nays

Boudria, Bradley, Breithaupt, Conway, Copps, Cunningham, Eakins, Edighoffer, Elston, Epp, Haggerty, Kerrio, Mancini, McEwen, McGuigan, McKessock, Miller, G. I., Newman, Nixon, O'Neil, Reid, T. P., Riddell, Ruston, Samis, Smith, Spensieri, Sweeney, Van Horne, Worton.

Ayes 73; nays 29.

Motion agreed to.

Ordered for standing committee on the administration of justice.

RULE FOR NAMING OF MEMBER

Hon. Mr. Gregory: Mr. Speaker, I rise on a point of privilege: The member for Sudbury (Mr. Gordon) was asked to leave the chamber by the Deputy Speaker earlier this evening. I am not disputing whether—

An hon. member: It was only a 12-hour suspension, 0.05—

Hon. Mr. Gregory: I did not hear your answer because of the chirping from across the way. Do I understand he could have come back into the House or not?

Mr. Speaker: It was my understanding he was asked to leave for a while. He was not named. The Deputy Speaker, I understand, requested this—

Mr. Martel: Is that a new rule?

Mr. Speaker: No, it is not a new rule. He uses his own discretion in order to preserve decorum in this House.

Mr. Martel: On a point of order, maybe Mr. Speaker could explain the difference to me. When a member is asked to exit stage left quickly—and I have on several occasions made my way out that door—I do not know what rule you are applying, nor do I know when you ask someone to leave the chamber what the difference is. I was asked to leave on two occasions. I was not given the opportunity to come back 20 minutes later. Whether you say you are asked to leave or somebody says, “I am naming you,” there is not really any difference.

Mr. Speaker: Yes, there is.

Mr. Martel: You are just asking the fellow to make his way out and stay out for the rest of the sitting. I would ask Mr. Speaker to show me the rule he is applying.

Mr. Speaker: Order. Not being here at the time nor having heard the exchange, the information relayed to me was that the member was asked to leave for a while. He was not named. I am not going to debate it. I would suggest there

is quite a difference between naming and not naming.

Mr. Martel: I would hope you would be prepared to bring in the rule by which you are now establishing a new precedent. I would like to see that rule. I really would. I mean that sincerely. I do not think you can change in midstream, turf someone out and let him back in. As one of those who has experienced those little trips out, it just does not work that way.

Mr. Cureatz: Mr. Speaker, on a point of order: If you want to have it from the horse's mouth, my attitude was, and I would take the same approach with any honourable member under the particular circumstances, if the honourable member wished to leave on a natural friendly basis, he would do so. Rest assured, if there had been any indication that he would not leave, I would have named him immediately. I merely asked him to consider leaving and he left.

The House adjourned at 10:40 p.m.

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SPEAKERS IN THIS ISSUE

Bryden, M. H. (Beaches-Woodbine NDP)
 Conway, S. G. (Renfrew North L)
 Cousens, D.; Acting Speaker and Deputy Chairman (York Centre PC)
 Cureatz, S. L.; Deputy Speaker and Chairman (Durham East PC)
 Epp, H. A. (Waterloo North L)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Gregory, Hon. M. E. C.; Minister without Portfolio (Mississauga East PC)
 Mackenzie, R. W. (Hamilton East NDP)
 Martel, E. W. (Sudbury East NDP)
 McClellan, R. A. (Bellwoods NDP)
 McMurtry, Hon. R. R.; Attorney General and Solicitor General (Eglinton PC)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Reid, T. P. (Rainy River L-Lab.)
 Riddell, J. K. (Huron-Middlesex L)
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Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Friday, December 11, 1981

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Friday, December 11, 1981

The House met at 10 a.m.

Prayers.

STATEMENT BY THE MINISTRY

AIR CARRIER POLICY

Hon. Mr. Snow: Mr. Speaker, in August of this year Transport Canada released its Proposed Domestic Air Carrier Policy paper with the intent of laying out guidelines for scheduled air carriers, guidelines which could seriously impact on the development of the industry over the next five to 10 years. Following the release, Transport Canada Minister Jean-Luc Pepin formally requested a response from this government and other provincial jurisdictions as well as the carriers themselves. Today I would like to take a very few minutes to brief the House on Ontario's position vis-à-vis the federal policy proposals.

To begin with, we find the proposal too restrictive. It does not allow the carriers sufficient flexibility to adjust effectively to changes in market demands or economic conditions. By the same token the Canadian Transport Commission's air transport committee would not be granted enough flexibility in assessing air carrier applications. In short, rather than acting as an intended blueprint for future development of this vital industry, the proposed policy is a statement of the status quo with a few added restrictions.

Ontario recommends a much less restrictive policy. And while we would clearly define the separate and primary functions of national, regional and local carriers, we would not necessarily preclude them from offering other services, as proposed in Transport Canada's policy.

As well, the federal proposal restricts local carriers from using jet equipment. This, in our view, would impede rather than stimulate any development in the air carrier industry. Furthermore Ontario strongly opposes limiting national carriers to the present two and regional carriers to the present four. The policy must reflect and recognize the various economic regions within Canada and each region should be permitted to develop its own regional carrier.

In addition, regional carriers should not be restricted to a maximum of 800 miles, or 1,300 kilometres, for nonstop flights, which is another new restriction proposed by Transport Canada.

Finally, it is obviously a one-sided policy that continues to prohibit charter-only carriers such as Wardair from entering the unit toll market on the one hand, while on the other hand scheduled carriers are permitted to continue their penetration of the charter carriers' market. Surely this is unfair. Air carriers should be allowed to compete equally in the marketplace.

After careful consideration and deliberation, my ministry has prepared a detailed response to the proposal. In this document I am tabling here today are this government's recommended changes to Transport Canada's Proposed Domestic Air Carrier Policy statement. I table with the clerk today copies of that statement.

WINTARIO GRANTS

Mr. Nixon: On a point of order, Mr. Speaker: I do not want to put you on the spot, sir, when Mr. Speaker himself is not in the chair, but I thought while the Minister of Culture and Recreation (Mr. Baetz) is in the House he might respond to the point of order put forward by the Leader of the Opposition (Mr. Smith) on Wednesday. It was an objection raised as a point of privilege that the minister had made available to the members of the Progressive Conservative caucus information about grants pertaining to the Wintario funds rather than making it available to all honourable members.

Mr. Speaker indicated it was not his job to direct the minister as to his responsibility, but you will recall, sir, the minister had told the House that no such information was made available. As a matter of fact, his words were, "It is locked up in the computer." There is every indication that answer was less than complete, since it appears that members of the Progressive Conservative caucus were in a position to phone the media in their own and nearby communities to release the information about the grants before it ever came out of the famous computer lockup. There is a further indication this was co-ordinated by at least some members of the Progressive Conservative caucus and its staff as well.

If there is a point of privilege that was not responded to, and I believe there is, it is the variance in the information given to the House by the minister. He said one day the information was not available and was locked up in the computer and the next day it became evident that just the opposite was the case. Perhaps the minister can clarify this matter. Otherwise, Mr. Speaker, I believe it is your responsibility to decide where the truth lies.

The Acting Speaker (Mr. Cousens): Would the Minister of Culture and Recreation care to respond to that point of order?

Hon. Mr. Baetz: Mr. Speaker, if you would give me a few minutes I would like to set in context this whole question of how we announced this Wintario grants program. As I mentioned a few days ago in the House, this is the first time we have made an announcement on a batch of projects—608 projects to be exact, costing some \$40 million. Up until this time, we had been making these project announcements one by one. So when we got to this position of making the announcement public, we had three choices to make.

10:10 a.m.

One was for me to go out to the ridings or to my regional offices and call a press conference, make the announcement and give out the list of the projects in that area and so on. I could do this methodically right across the province, and exclude private members from any such a program.

Another alternative would have been, I guess, to take a leaf out of the federal Liberal Party's book and ask my ministerial colleagues to make the announcement on my behalf in their various areas. That is a procedure followed by the federal Liberals quite frequently, and it is quite appropriate—nothing unethical about it. It annoys the opposition but it is done. I could have gone to my various ministerial colleagues and asked them to announce these projects on my behalf. It could have been done that way.

The third way, which we followed—and it was deliberate—was to extend a courtesy to all members of this House and give them the opportunity to make these announcements. This is exactly the course we followed. I said at the time I would give the members over there the same courtesy as the members over here get. The way to do that was to get the letters of approval into the members' hands early enough so they could tell the projects in their ridings there was good news coming. The members

could be the bearers of good news. They could go to the press and say, "Here are good things coming." That was a courtesy I wanted to extend to the members over there and to the members over here. That is exactly what has happened.

It is interesting that I have received a number of communiqués. Here is one from the Liberal Party, from the member for Prescott-Russell (Mr. Boudria), who has done a fine job of announcing in his riding the projects being approved there, and it has gone to the press. It has worked. It was a courtesy extended to all members of the House and the members on the opposite side had their information in time to do exactly that. Instead of sitting and complaining I would have thought they would have thanked us for the courtesy extended, which they did not.

Mr. Nixon: Point of order, Mr. Speaker: The minister has indicated it is government policy to make this whole thing into a pork-barrel—that is, allow his colleagues to announce it first. Frankly, I for one have no real objection to that. The question is this: Why did he tell us one day it was being kept secret while at the very same time the information was being made available to his colleagues in the Progressive Conservative caucus? That is the only question. I do not care whether he announces it himself or with his buddies. It makes no difference, because I do not believe the taxpayers respond to that kind of crap anyway. I do want to know why his statement to the House was seen, as events became public, to be less than complete, less than correct.

Mr. Cunningham: On a related point of privilege, Mr. Speaker, I would like to inquire why the announcements pertaining to my constituency bear the date of November 30, and were embargoed for our benefit until December 9. Is that the kind of courtesy the minister refers to?

The Acting Speaker: This has been dealt with. The Minister of Community and Social Services (Mr. Drea) has a statement.

Hon. Mr. Drea: Mr. Speaker, there is a breakdown in the copying machine. I wonder if we could revert later? I am waiting for a copy as a courtesy to the critic. It would be very unfair. I would like him to have it in his hands at the time.

The Acting Speaker: Is it agreed the Minister of Community and Social Services can make his statement after question period?

Mr. Cooke: On a point of order, Mr. Speaker: I want to have it made clear that when the

minister makes his statement it will not be after question period, because there will be questions on this statement.

The Acting Speaker: As soon as it is ready, we will give the minister the opportunity and add the time to question period.

TORONTO ISLANDS HOMES

Mr. Cassidy: Mr. Speaker, on a point of privilege: The Premier (Mr. Davis) is not here yet but I could raise it with some of his colleagues. I distinctly heard the Premier yesterday objecting to the misuse of taxpayers' money with respect to the Metro decision to have an advertising campaign against the decision on the Toronto Islands which will shortly be taken by this House.

I resent the suggestion the taxpayers of this community could have any impact on Metro Chairman Paul Godfrey since he is appointed rather than elected. I would suggest, if the government wants this to have a political impact on Metro Chairman Godfrey, it should make sure Mr. Godfrey is an elected member of the Metro council.

ORAL QUESTIONS

SUNCOR PRACTICES

Ms. Copps: Mr. Speaker, I have a question for the Minister of Energy. The minister will recall having stated in this House that Suncor sulphur dioxide emissions from the tar sands plant were in compliance with the laws and requirements of Alberta. Is the minister aware that from January 1 to April 30 of this year sulphur dioxide emissions from the Suncor plant exceeded the allowable limit 18 times? What will the Ontario government do to stop these violations now that it has an interest in Suncor?

Hon. Mr. Welch: Mr. Speaker, I think the short answer is we would expect that company to abide by and respect the laws of that jurisdiction.

Ms. Copps: Suncor is one of the companies cited by the Restrictive Trade Practices Commission for price fixing and has been criticized in the Alberta Legislature for abusing labour legislation on overtime. As a result of safety violations by Suncor a welder died at the tar sands plant and another worker died at a Sarnia refinery. Given all these, how will the government, as a partner in Suncor, improve Suncor's record as a corporate citizen?

Hon. Mr. Welch: I fail to see how that is supplementary to the main question dealing with air pollution. However, I think under the circumstances the answer which I gave to the main question would apply. We would expect the corporate citizen to abide by all the regulations, by not just the letter but the spirit of the law.

Ms. Copps: I am sorry the minister cannot see the connection. Obviously, he does not understand what corporate citizenship should be in this province.

I commend the minister's hope that Suncor will comply with the law and that the Ontario government will have some influence in improving its corporate behaviour. But in light of Mr. Hennigar's speech in Edmonton last week to the Chamber of Commerce that Ontario is merely a silent partner, how can the minister assure this House he will have any real influence on the behaviour of Suncor, a company in which this government holds a 25 per cent interest?

Hon. Mr. Welch: There are two ways to approach it. One, the government of Ontario at no time sought control of the company. The arrangements are just as we have discussed them in this House on several occasions. Two, as part of the preliminary agreement we have made it quite clear we would insist on full compliance with all rules and regulations with respect to the operation as far as this company is concerned.

Ms. Copps: Well then do something. Why don't you do something?

Hon. Mr. Welch: This minister understands what corporate citizenship is all about and we would expect this company to abide by the law in so far as all this is concerned.

Interjection.

Hon. Mr. Welch: No doubt the honourable member will want the delegates at the forthcoming convention to listen to her when she is speaking, in the same way the minister expects some courtesy from the questioner in listening to the answer when he is giving it.

Mr. Cassidy: A supplementary question, Mr. Speaker: What will Ontario do to ensure Suncor acts as a good corporate citizen given the company has made it clear that, in return for our \$650 million and the purchase of 25 per cent, Ontario will only be a passive partner?

What kind of clout will the Ministry of Energy, the Ontario Energy Corporation or the government of Ontario have when they do not have control of the company? They cannot

direct what Suncor does. The only way they can ensure it acts as a good corporate citizen within the boundaries of this province will be to use Ontario laws against the company where they do not have effective control.

10:20 a.m.

Hon. Mr. Welch: I have no reason to believe this corporate citizen will not abide by the spirit and the letter of the law.

ONTARIO ENERGY INVESTMENT

Ms. Copps: I have a question for the Treasurer. We learned last week from the Premier that in determining the purchase price of Suncor we are not talking about paying a premium. I would like to draw the Treasurer's attention to two statements.

The first is on the second page of the McLeod Young Weir letter: "It was in reference to these parameters weighted by an estimate of expected earnings of Suncor and takeover premiums paid."

The second statement was made during our caucus briefing by Mr. Eric Schwitzer, vice-president of McLeod Young Weir, who said, "The block premium over the stock market value was in the order of 15 to 25 per cent."

We have established that a premium was paid for the Suncor shares. Given the fact that Suncor was not traded publicly, that it was dangled before numerous other buyers and there were no takers, would the Treasurer tell us why he did not get a discount on the purchase price instead of having to pay a premium?

Hon. F. S. Miller: The fact that one half of one per cent of the shares of that company are in the hands of people who are trading them would not give a market at any time that indicates real value. I think the member understands that. But even where companies are actively traded the member will find that in the spate of takeovers that have occurred in Canada and the United States in the last two or three years, almost always the price paid for a block of shares is greater than the market value of the shares being traded on the stock exchange.

This is due to a whole bunch of reasons. Very often the purchaser looks at the inherent value of the asset rather than the current earning power. He knows all those variables have to be factored in to any price. And he knows the price paid is not a premium—I think the word "premium" is easily misused—in the sense of being over and above what somebody else may

be willing to pay on that day if the stock was traded. That is a big "if" when only one half of one per cent is out there.

But knowing that, a 51 per cent block would probably go for a different price than a 25 per cent block; a 25 per cent block would go for a different price than a 10 per cent block, whether it was Suncor or Abitibi-Price, which was also just taken over.

Ms. Copps: The minister did not hear the statement from Mr. Schwitzer, the vice-president of the company, who stated very clearly that the block premium over the stock market value was in the order of 15 to 25 per cent. Why would the government pay a premium for something no one else even wanted to buy?

Hon. F. S. Miller: The latter part of that is untrue. It is not a question of other people not wanting to buy. Only time will tell how many do wish to.

Mr. Foulds: Supplementary: We know there was no consideration on the part of the government or the Treasurer to obtain 51 per cent of the assets. However I wonder if the Treasurer can tell us whether in any of the discussions leading up to the decision there was any recommendation either in the McLeod Young Weir report or in any other reports or evaluations by officials inside or outside his ministry—including Tom Kierans—that the government should go for 51 per cent? Because in terms of buying a block it might have been a better deal.

Hon. F. S. Miller: It would have meant just the opposite.

Mr. Foulds: I asked the minister if there was any recommendation.

Hon. F. S. Miller: There was no recommendation that I know of. There was discussion about the potential for other purchasers of that block because the real benefits of Canadianization do not flow to the corporation until it is purchased. For that reason we are very anxious to see other purchasers or another purchaser of that block. For that same reason there is some protection built into the deal to allow us to reconsider our position at certain points in the future.

Ms. Copps: Will the minister table in this House the names and the amounts of the offers to purchase from the other alleged interested parties?

Hon. F. S. Miller: No.

Ms. Copps: Why not?

The Acting Speaker: That was the final supplementary.

INTEREST RATES

Mr. Cassidy: I have a new question for the Treasurer, Mr. Speaker. In the speech last week by Governor Bouey of the Bank of Canada and the treasury bill auction this week it was confirmed that the Bank of Canada is maintaining its high interest rate policy. The federal government also shows no indication it is prepared to change that high interest rate policy. In view of these facts, is it not now time for Ontario to follow the lead of Saskatchewan and Manitoba and take direct action to help those hard hit by these policies?

Should the government not move to help home owners who are threatened by foreclosures, to help tenants who are being evicted because of high rent increases due to the mortgage rates, and to help farmers who have gotten to such a point of desperation they are out in the streets in their tractors to protest what is happening to them?

Why is the government continuing to blame the feds? What action are they now prepared to take to protect people against the high interest rates?

Hon. F. S. Miller: Mr. Speaker, we are continuing to blame the feds, and I will be glad to do that on Sunday, Monday and Tuesday when Mr. MacEachen is here. I will do so because they are wrong, because they are supporting that interest rate, as the member just said, at unduly high levels.

The spread between American rates and Canadian rates on a 90-day basis—in other words 90 days from now—is as high as 500 or 600 basis points. This is a five to six per cent spread between Canadian rates and American rates, ours being higher. My staff tell me that one to 1.5 per cent would be a normal spread; the market would accommodate that. It is being kept higher by intervention by the Bank of Canada. Mr. Bouey firmly believes that is the right policy. We believe the right way to help those people the member talks about is really to get the rate down to where the market tells us it should be. In my opinion that would solve many of the problems that government intervention may only mix up.

Mr. Cassidy: Supplementary, Mr. Speaker: Is it not clear to the minister now that just to blame the feds like that and to go and make speeches at the finance ministers' conference will have all the impact the ministers were able to have at the meeting in Halifax a few weeks ago? Is it not clear that what is needed now is for Ontario to

take direct action the way Saskatchewan has to the point where the banks themselves start to protest what is being done to them? It is clear they would protest a moratorium like Saskatchewan's in this province. But that would protect home owners from foreclosures in Ontario right now, and it might get the banks to get the federal government to change its high interest rate policy since this government cannot.

Hon. F. S. Miller: Mr. Speaker, the fact that the honourable member hates banks and even hates success in the capitalistic system comes through every time he stands up to talk.

Let me look at who really is involved in the lending of mortgage money across this country. The member talks each day as if every dollar laid out on a mortgage, be it for a farm or for a house, comes from a bank. I challenge him to show me that it is more than 15 per cent. Indeed, I suspect that less than half of that is placed on farm mortgages by banks. It is placed on farm mortgages by farmers, by individuals who have had confidence in the farmers to whom they have loaned the money, and it is they whom the member is attacking, not the banks.

Mr. Nixon: Supplementary, Mr. Speaker: All the provinces, all the treasurers, are objecting to the federal policy; but other provinces have had their economic house in good enough order so they could go forward with programs, particularly in support of the farm economy with interest rate assistance. How can the Ontario farmers compete in a national and international market when this government insists on and persists in simply blaming another level of government and taking no action at all when other provinces are taking action?

Hon. F. S. Miller: Mr. Speaker, I am not going to reject the suggestions the member has made. The task force, which came in two weeks ago, made a number of suggestions. The Ministry of Agriculture and Food, the treasury and the government in general are looking very hard at and giving a great deal of priority to that problem. I do not want to rule out any direct help. I am seriously looking at it, and I will be with the Minister of Agriculture and Food (Mr. Henderson), because I do accept the fact that the Ontario farmer, and indeed the Canadian farmer, is caught in a position that few if any other categories of small business people are in.

10:30 a.m.

Mr. Cassidy: Supplementary, Mr. Speaker: There are two groups in our province right now—the groups that can afford to lend a

mortgage, largely financial institutions such as banks and trust companies, and the people who borrow in order to have homes, who are tenants because they cannot afford to have homes or who are farmers who borrow because they cannot afford to maintain their farms without being able to get mortgages.

Is the minister seriously saying that when it comes down to deciding whose side he is on, he is on the side of banks and financial institutions and all of those elements in society who can afford to lend? When bank profits are up by \$700 million, why is the minister not prepared to stand up for a change on behalf of people who are forced to borrow, who are tenants, who are homeowners being foreclosed and who are farmers? Why will Ontario not consider legislation like Saskatchewan's which would give a breathing space for a year while we continue the fight to bring interest rates down in this province and in this country?

Hon. F. S. Miller: I am not sure the honourable member heard what I said. I tried to point out that many individuals, many of whom are retired, have their money tied up in that kind of investment, a good many. I can look at my own family as a good example; I am sure members in the benches opposite can look at their own families.

I would suggest that nearly every time a young farmer buys a farm in Ontario today, the older or retiring farmer takes back a mortgage, buys a house in town, retires and counts on that income to live on. It has happened that way for generations. Does the member want to destroy the confidence of future sales by removing from the vending farmer the confidence that he can count on income security? The answer is yes, he does.

Mr. Cassidy: You are seeking to bankrupt farmers right now.

WHITCHURCH-STOUFFVILLE WATER QUALITY

Mr. Cassidy: I have a new question for the Minister of the Environment. What is happening in Stouffville in the wake of the confirmation by Dr. Cummins of the University of Western Ontario, through the Ames test, that there are carcinogenics and mutagenic substances in the water? This is despite the denials the ministry brought up for so many months and the assertions that the water near the Stouffville dump was safe?

We understand the medical officer of health

in the area is going door to door in the community telling people they should use alternative water supplies, and those water supplies will be supplied by the government. Could the minister explain why the only agreement to date in the wake of these Ames tests has been to carry out further tests from January to March while the ground is frozen? Clearly, tests in frozen ground will not be real proof of the degree of risk in the water.

Hon. Mr. Norton: I have been attempting to confirm this morning what the medical officer of health is doing. The first information I had indicated there might be some advice contemplated by him. It was in the headlines in this morning's Toronto Star. I was somewhat mystified by that because, to the best of my knowledge, there is no information available on which the doctor could base such advice. I do not know the man personally, but I assume he is not an individual who cannot stand the pressure of public office and who panics unnecessarily. I understand he is a very responsible individual.

I can relay to the House that recently I had information—in fact, just within the last minute—that the medical officer of health is not issuing warnings as is suggested in the Toronto Star headline. The only communication he is contemplating or has carried out is to Mr. Hutchinson, whose well was the subject of the Ames test. He is advising Mr. Hutchinson but not 13 other residents, or whatever this histrionic Toronto Star story appears to say. That is information I just received via a telephone conversation between a member of my staff and others.

I think it is important though, in view of the concern and the seriousness which we attach to the results of that Ames test, to see it in its proper context. It is an isolated test. I do not know whether the member has taken the time or had the opportunity to discuss what the Ames test is with someone who is knowledgeable about that subject, what the significance of an isolated positive result of an Ames test really is. I think that would be worthwhile if he is really interested in pursuing that issue much further.

I would point out that the use of the Ames test as it applies to environmental matters, for example testing water, is really very new. It was devised originally about 10 years ago by Dr. Ames, not expressly for this purpose, but in relation to cancer research and other things of that nature. It has been used for about seven or eight years in industrial applications to test products before they go on the market.

It is only within less than the last couple of years that there have been some sorties into the environmental field. No one can tell what the relationship would be between a positive Ames test and a potential hazard for human health as it applies to the testing of water. No one can tell, in this particular instance, with a positive result, what may have triggered that positive reaction.

I am not trying to minimize the potential significance of this. All I am saying is, let us see it in perspective. It is possible, for example, that one could get a positive result because of some problem with the strain of bacteria used. The test is done on bacteria and it is a very sensitive one. That is one avenue that would have to be explored. It is possible a contaminant in the water is causing it, which is the conclusion that has immediately been drawn in this instance.

It is also important to understand that in this particular application of the test the sample was concentrated a thousandfold. In fact, I am advised that if one were to do a test on any treated municipal water supply in this province, concentrated a thousandfold, one would get a positive result, as was the case here. But that does not necessarily leap to the conclusion that all water supplies in Ontario are carcinogenic. A variety of things have to be explored.

What we have done, in fact, is to agree with the citizens. We sat down with the information the day it came to my attention, a week ago today, and met with the citizens' group. They were very concerned and very co-operative with us, and I give them great credit for that. We have subsequently had further meetings with them.

We have worked out a protocol for further testing, using the Ames test on some six wells involving three laboratories cross-checking results, to see whether there is any possibility of confirmation of that single, isolated result. The next step following that would presumably be, if it is a confirmed result, to try to determine what is producing that positive result.

The Acting Speaker: I think the minister has answered the question.

Hon. Mr. Norton: Mr. Speaker, it is potentially a very serious issue in terms of public concern. I think the leader of the third party was sincere in asking his question and I assume he wanted a sincere and thorough response. But if you wish to cut me off, I will wait for a supplementary.

Mr. Cassidy: Mr. Speaker, I think perhaps some of that time could be credited to statements rather than a response to questions.

To return to the original question, why is the ministry insisting on confining the testing on those six wells to the period from January to March when even I, as a nonscientist, am able to understand that the water does not flow as freely during the winter? The chances of anything leaching from the York sanitation dump are a great deal less in winter conditions than in the summer.

What specific long-term measures has the minister got to reassure people in the area they will have the protection they are seeking? What will the government now promise with respect to delaying or cancelling any expansion of the York sanitation dump, since it is clear the people in the area fear it is the cause of the contamination of their water?

Hon. Mr. Norton: Mr. Speaker, I am not trying to minimize the importance of the results of the Ames test or the potential significance of it, but I think it is important to point out repeatedly that there is not yet any confirmation of contamination of the water supply.

10:40 a.m.

In terms of long-term protection, we will certainly assure the residents that measures are in place to provide for the long-term protection of their water supply. That is an assurance that we have repeatedly given them.

Mr. Cassidy: They do not believe the minister.

Hon. Mr. Norton: That may well be so. There is some scepticism. It is too bad the member did not have an opportunity to attend any of the meetings during our estimates, which unfortunately concluded last night. He might have benefited from some of the discussions I had with his colleagues and members of the official opposition on that very question, the problem of scepticism on the part of some members of the public as it related to very reliable and competent information that government can provide. That is something nobody is going to resolve overnight.

If the member happens to believe there is actually some scientific competence in our laboratory, which is one of the leading ones in North America, then he might assist, as I have urged others to do, by showing a little more confidence himself.

Mr. Kerrio: Mr. Speaker, I thought we had dealt with this particular matter in great depth but it seems that we keep getting more and more evidence that is quite startling.

In regard to Mr. Hutchinson's well that the

minister made reference to, there was a very high positive test in that even though members of his ministry said the water in that area is still safe. I would like to bring to the minister's attention something I touched on last night.

Mr. Hutchinson has a daughter who took water from that well and she had a miscarriage. I wonder if the minister will investigate to see if there is evidence the water was one of the major causes.

It seems every day we get more and more information. As recently as today, we are talking about hand-delivered letters from the Ministry of Health. Those few things show the time has come for the ministry to shut down that dump, to stand up in front of the people of Ontario and say he is going to do something positive to prove to them his heart is in the right place; that he is going to encourage the people to come out and share with him the testing and at least say there is evidence enough now to shut down the Stouffville dump.

Hon. Mr. Norton: Mr. Speaker, the member says there is a lot of information coming forward all the time. I do not know what letters he is referring to. He says there are hand-delivered letters from the Ministry of Health. I know nothing of hand-delivered letters from the Ministry of Health. I would like to know where the member is getting his information, whether it is from the newspaper or from some other source.

As recently as five minutes ago we had telephone contact seeking confirmation of the story in the Toronto Star. We are advised that the medical officer of health was not doing what the Toronto Star said he was doing.

Mr. Hutchinson has received advice from the medical officer of health, there is no question about that, but not some 13 other residents as the Toronto Star has said. The Toronto Star has treated this whole issue irresponsibly from the very beginning.

There is no question about it. We have been in contact with them and they undertook to treat it more responsibly in the future, until the last couple of days when this reporter went off half-cocked again. I cannot control that. Presumably the Toronto Star cannot. I cannot assume responsibility for that sort of thing.

Mr. Breithaupt: Now they are all against you.

Hon. Mr. Norton: No, they are not all against me.

The Acting Speaker: Order. The minister will deal with the question.

Hon. Mr. Norton: I realize there has been some suggestion that Mr. Hutchinson's daughter may have had a miscarriage, or did have a miscarriage, which may have been attributable to the water supply. There is no way I can confirm that or legitimately deny it. I would think it would be very important to explore other questions as well. For example, did the daughter smoke? Did she consume a lot of coffee and so on during that period? What other factors might have contributed to that situation? One cannot singlemindedly cite, without any evidence, any particular cause in a situation like that.

Mr. Kerrio: The evidence is there.

Hon. Mr. Norton: I do not know where one would turn for such evidence. I do not know how one would confirm that.

Mr. Cassidy: Mr. Speaker, let me be specific: Given the crisis of confidence in his ministry's handling of the Stouffville situation, which is not going to go away by making irresponsible attacks on the Toronto Star or any other organ of the news media, will the minister agree to have a further series of tests, the Ames test, on the wells in the area in the summer as well as in winter?

Will he agree to delay any decision with respect to any expansion of the dump in the area until the water conditions can be assessed under summer as well as winter conditions? I suggest that to the minister because if he does not do that he will continue to undermine confidence in his handling of this issue in the Stouffville area.

The Acting Speaker: I ask the minister to deal with the question.

Hon. Mr. Norton: Mr. Speaker, I can assure you the whole matter relating to the question of the expansion of that site will be dealt with, as other things related to this site have been, very responsibly by my ministry. All relevant information will be taken into consideration by the director in arriving at his decision. I cannot tell the member when that decision will be taken, but all relevant available information will be taken into consideration, including the advice or recommendation of the board, which is only one part of that information.

The Acting Speaker: The Minister of Community and Social Services had a statement to make—

Mr. Cassidy: Mr. Speaker, on a point of order: The minister did not respond to the

specific question, as you asked him to, which was whether he would do those tests in the summer as well as the winter.

The Acting Speaker: We have agreed that the Minister of Community and Social Services can make a statement. The question period will be extended by the time required.

Mr. Cassidy: Mr. Speaker, I heard you specifically tell the minister to answer the question before he got up in his place. Surely he should follow what the Speaker says, if he does not have to listen to this side of the House.

STATEMENT BY THE MINISTRY

CHILDREN'S MENTAL HEALTH SERVICES

Hon. Mr. Drea: Mr. Speaker, I appreciate the indulgence of the House and I apologize for the lateness.

Several allegations about the quality of care for children and adolescents in southwestern Ontario were made in the House on Monday. I cannot allow those unfair and untrue accusations to go unanswered. First, it was alleged that a particular 14-year-old girl had spent "many years of bouncing around from one spot to another." This is not correct. This girl was diagnosed by the neuropsychology department of the Windsor Western Hospital regional children's centre as functioning within the borderline mental retardation range in February 1976. A staff psychologist, Dr. Fellbaum, felt she was suffering from a psychotic disorder and had extremely low verbal skills.

Since that diagnosis, the young girl has been under the constant medical care of a psychologist, Dr. Fellbaum, and a psychiatrist, Dr. James Johnson, medical director of Windsor Western regional children's centre. I can state categorically that she has not been "bouncing around from one spot to another." Between February 1976 and October 10, 1979, she lived at home with her family. On October 10, 1979, she was admitted to the Windsor Western regional children's centre. After four months, her psychotic behaviour was brought under control and she continued her schooling on a full-time basis while remaining a resident at the centre.

By September 1980, her progress under the treatment she had received at the Windsor Western regional children's centre was such that the medical staff and her family agreed to transfer her to Glengarda, which is a residential day school for children who have difficulty in a regular school program. The transfer was care-

fully planned and involved the young girl going to Glengarda with staff from Windsor Western and she returned each weekend to the regional children's centre. She was able to make a good adjustment and throughout her stay she made some educational and social gains.

Throughout her entire stay at Glengarda, from September 1980 until June 1981—Glengarda does not operate in the summer—she and her family continued to receive professional counselling from the psychologist, Dr. Fellbaum, from Windsor Western while the psychiatrist, Dr. Johnson, monitored her medication. During the summer vacation she stayed at home with her family and during this period from July 6, 1981 to August 28, 1981, she attended a special day camp run by the Windsor Association for the Mentally Retarded.

When she would not continue her schooling at Glengarda this fall, she stayed at home with her family until she was admitted by her parents to St. Thomas Psychiatric Hospital. Incidentally, Glengarda kept her place open until November 6, 1981. That is the day she was admitted to St. Thomas. I believe there is nothing in the record of her treatment and placements that even remotely suggests "bouncing around."

10:50 a.m.

The second allegation was that "they—St. Thomas Psychiatric Hospital—are providing absolutely no treatment for this child." I have learned that upon arrival at the hospital a psychiatrist in the intake unit, Dr. Nolan, assessed the girl's condition and found she had a very marked thought disorder. The psychiatrist added to her medication so that in addition to her normal intake of Stelazine and Artane she was prescribed chlorpromazine.

Additionally, she attends the hospital activity workshop each day Monday to Friday and is reported to be talking fairly rationally, which was not the case when she arrived. All this sounds like, and is, considerably more than baby-sitting, which the honourable member opposite alleged. Furthermore, her mother has informed my staff that tutoring has been arranged for her daughter at St. Thomas after the Christmas break.

Third, it was alleged to my honourable colleague the Minister of Health (Mr. Timbrell) that his "facilities are being inappropriately used, and children are being improperly placed in his facility." For the record, under the Mental Health Act any schedule one psychiatric hospital must offer psychiatric assessment services for anyone who needs them. In that sense an

application for psychiatric assessment at St. Thomas Psychiatric was quite proper and appropriate.

Such an application allows a person to be a patient, yet not technically admitted to a psychiatric hospital for five days. At the end of this time a mandatory conference is required where qualified medical staff decide whether a person should be admitted involuntarily, allowed to remain an inpatient informally, or discharged. The medical staff determined involuntary admission to be unnecessary, and since the young girl's parents had brought all her belongings, including her clothes, skates and swimming suit with her on November 6 when she came for assessment, it seemed unlikely she could be discharged.

I should also add that because of certain of her symptoms the psychiatrist who admitted her has arranged for some very specific neurological and neuropsychological tests to be done at CPRI in London. These examinations will help to determine if she has any organic brain function disorder. I believe this result in itself is quite providential, and I note that such action is neither an inappropriate use of facilities nor an improper placement for children, as was suggested.

It was alleged there were no facilities for young people such as this girl. In the southwest region my ministry funds 225 beds in 11 children's mental health centres, 905 beds in children's group homes and 34 beds in two psychiatric hospitals. While the psychiatric hospital units are ideal for psychotic, hard-to-serve children, the other facilities are able to modify their long-term residential programs to deal with children who have special needs in crisis situations. This can be done by temporarily locking doors, enriching staff-to-patient ratios and utilizing drug therapy as required.

Finally, it was implied that neither Maryvale, a Windsor children's mental health centre, nor CPRI in London would take this girl. The fact is that neither place was called regarding this girl in the past year. I am also able to report today that, at the insistence of my staff in the Windsor area office, a hard-to-serve committee meeting under the jurisdiction of the Windsor children's services committee was held yesterday afternoon. This meeting included all the concerned service providers and the girl's parents, and it was agreed the young girl should remain at St. Thomas until the special neurological tests are done at CPRI. After these are completed this hard-to-serve committee will meet again and review a long-term placement for this girl.

In addition to the matters that were discussed in the House, there was an editorial concerning this girl in the Windsor Star on Wednesday, December 9, which alleges—indeed, it states categorically, “Yet during the past five years she received no treatment.” That is categorically untrue.

Second, there is another allegation in here, and I read directly from it—I am not using the young woman's name: “She spent five years being shunted from one hospital to another needlessly and ineffectively. If her case had not been revealed, how many more years would have passed before it became known?” Mr. Speaker, I remind you that in my statement she was admitted to the Windsor Western regional children's centre. She was in a program there that utilized a group residence, with her weekend treatment continuing in the centre.

At that point it was decided that she could go home for weekends. The breakdown came because of a number of matters during the time she was at home. The simple fact of the matter is, the treating psychologist was not informed there had been a breakdown at home. Once again, it is categorically untrue that she was shunted from one hospital to another, needlessly and ineffectively.

I also very much begrudge that the newspaper—which did not even attempt to contact me until 24 hours or more after that editorial was written—had some snarky remarks in there about my friend the Minister of Health (Mr. Timbrell). The Minister of Health did not pass the buck to me in this case. This case has always been the responsibility of this ministry. I want to go on record complimenting my friend the Minister of Health for the services that have been provided, not only in treatment but in a diagnostic capacity at St. Thomas.

Mr. G. I. Miller: Mr. Speaker, on a point of privilege: The minister indicated that there are only 34 places for disturbed young people in Ontario, yet he has closed places like Sprucedale at Hagersville, while knowing there are not enough facilities in Ontario to care for this type of person.

Hon. Mr. Drea: Mr. Speaker, in the original statement that I made concerning the closing of White Oaks when it occurs this year, I said replacement beds would be placed so that the children would be treated in centres closer to their home, out of CPRI in London for those from western Ontario, in the Toronto area for those from there and in the Hamilton-Wentworth area. The member who raised the point of privilege knows it full well.

ORAL QUESTIONS

(continued)

SALES TAX ON HOSPITALITY INDUSTRY

Mr. O'Neil: Mr. Speaker, I have a question for the Treasurer, and it pertains to the reimposing of the seven per cent retail sales tax on accommodation, furnishings and kitchen equipment for the hospitality industry.

Being that the Treasurer has made a commitment of large sums of provincial funding for the Metro convention centre, the Ottawa convention centre and the Hamilton convention centre, does he not feel the reinstatement of the sales tax on accommodation in Ontario will place us at a competitive disadvantage in attracting the large groups we need to fill these centres?

Hon. F. S. Miller: Mr. Speaker, I gave notice of that change November 13, 1980. I did so because it has been our policy wherever possible to advise the hotel and hospitality industry of change far enough in advance to allow that industry to incorporate potential costs into their bids. Therefore, the required time was given.

I am probably as knowledgeable about that particular industry as anyone in this House. I would argue that for many of us, not necessarily the convention trade, but for many of us in the hospitality industry, the reimposition of the tax will not affect our overall business. It is not seven per cent on all items. It is as low as three per cent in modified American plan or American plan resorts; five per cent at the most in American plan and modified American plan resorts.

Therefore, we have to balance the very many programs of assistance to the tourist industry, like those convention centres the member talked about, with my revenue. I would also argue that the 80 to 85 cent Canadian dollar has made a far greater impact upon the competitiveness of Ontario's convention industry than any other single factor, and they use it well. It is only proper that we should collect our fair share of tax from that area as well.

Mr. O'Neil: Given the Treasurer's statement of December 4, 1981, that he intends to initiate a study of the industry's tax structure to determine whether further government assistance would be warranted, why would he not permit the tax exemption to remain in effect until such time as the results of his study are known, since

the results of such a study could well indicate a permanent removal of the accommodation tax? To have even initiated this study he must have some fear that there are some problems in the tourist business in this regard.

11 a.m.

Hon. F. S. Miller: No, that was not the purpose of it. I do not think the word study is as appropriate as the word review. Because I had given him a year's notice, my colleague the Minister of Revenue (Mr. Ashe) had prepared to circularize the information on November 27, as I recall. I asked him to hold up the circularization, but I pointed out to the people from the hotel industry who came to see me on November 26 that it was a bit difficult, with one year and two weeks' notice, to have received that request on the day before the circularization was to go out. I admit I got a request for the meeting some two weeks before that, so it was not quite one day beforehand.

For a stable tax environment, we do believe in giving some advance notice and we gave it. The benefit to the industry was real, particularly as it applied to the purchase of capital assets. We hoped the industry would use that time interval to spend money on capital assets without sales tax. Just as I would dearly love to take the sales tax off everything and everybody, the fact remains we have to pay for the running of the province.

The hotel industry made a suggestion that we should tax all prepared food dispensing outlets, including McDonald's and Kentucky Fried Chicken, on every cent of every restaurant dollar, at a rate of four per cent. The hotel association told me that in their opinion four per cent would be more equitable than the present 10 per cent on amounts over \$6 and seven per cent on rooms. I asked them if they had the support of the restaurant associations, the fast food producers and the tourist operators and the answer was "No." Not only did they not have the support of those groups, they suspected it was from those groups that they would have their opposition.

Interjection.

Hon. F. S. Miller: We are all for the member for Hamilton Centre. This whole party over here is going to go to the convention and say, "We are for Cops."

We would argue that kind of thing does require discussion. The prebudget period is the time for that discussion and I encourage it.

CHILDREN'S MENTAL HEALTH SERVICES

Mr. Cooke: I have a question for the Minister of Community and Social Services. I appreciate his statement today. I am sure the minister will be aware that not only did the hard-to-place children's services committee meet yesterday as a result of the question that was asked in this House, but there are two other important recommendations the minister did not bother to refer to today. This case has been referred to the interministerial committee on hard-to-place children in Toronto and a task force has been set up to look at a facility that is desperately needed in southwestern Ontario so this type of thing does not happen again.

Is the minister aware that the program in which this child has been placed at St. Thomas is no program because there are no other children at St. Thomas? It is an adult facility and she is the only child, so the program the minister talks about is drug therapy and, in quotes, "baby-sitting," as the staff I talked to has told me.

Would the minister not agree there were severe breakdowns in the so-called system in this case? Over the last five years this child has been in three institutions and approximately five programs and therefore has not been receiving consistent treatment in order to assist the family and the child.

Hon. Mr. Drea: Mr. Speaker, I would remind the member of the statement I made.

Mr. Foulds: Let's start with you.

Hon. Mr. Drea: Let's start at St. Thomas. It may be the administration of an additional drug, I pointed that out, but there is also a work activity program for her.

Mr. Cooke: It's not a total program, so don't be so silly.

The Acting Speaker: Order. The minister did not interrupt you when you were asking your question.

Hon. Mr. Drea: The member said in this House there was no program, that it was baby-sitting and she was in limbo.

Mr. Cooke: That's exactly what it is.

The Acting Speaker: Order. The minister has the floor.

Mr. Cassidy: That's what you said this morning.

The Acting Speaker: Order.

Hon. Mr. Drea: If the member was really

interested in this young girl, he should thank them at St. Thomas for what they have done and are doing for her. Second, an allegation was made. I do not know where he gets the number of institutions, but back on December 7 the honourable member said—

Mr. Cooke: Just use your fingers, you silly ass.

The Acting Speaker: Order. I would ask the member for Windsor-Riverside to withdraw that unparliamentary language.

Mr. Cooke: Mr. Speaker, perhaps you could indicate to me what the unparliamentary language is.

The Acting Speaker: Would you please withdraw that language now?

Mr. Cooke: I will withdraw it, but it is not unparliamentary and it is accurate.

The Acting Speaker: There is no need for argument. You have withdrawn it. Thank you.

Hon. Mr. Drea: What did he say, Mr. Speaker?

The Acting Speaker: Carry on with your statement.

Hon. Mr. Drea: Mr. Speaker, on December 7, page 1515-1 in the Instant Hansard it says, "When Maryvale was looked at in Windsor, they rejected..." I have already pointed out there was no contact in the last year with Maryvale.

Mr. Cooke: Talk to Dr. Johnson.

Hon. Mr. Drea: We have talked to Dr. Johnson.

Mr. Cooke: He's the one who told me—

Hon. Mr. Drea: The fact is, she was admitted and stayed for a prolonged treatment period at one regional children's centre. As part of that ongoing program she was put into a group home and brought back for continued treatment every weekend.

The group home was for educational purposes. She was then considered far enough advanced to continue in that home and to go to her own home on the weekend. I pointed out in my statement that the therapist who has been continuously practising in this case was unaware there was a difficulty at home and was very surprised when it was brought to his attention at this late date.

I think I could be a little more candid and blunt about this matter, except that unfortunately the name of this individual was used originally and is now the very basis of a newspaper editorial headline. There may have

been breakdowns in communication but, believe me, and I have the whole case here, they were not the fault of the practising psychiatrist or the practising therapist.

Mr. Cooke: Blame the parents.

Hon. Mr. Drea: No, I am not blaming anybody, but the member has blamed professional people for a lot of things. I want to make it clear it was not their fault.

There was one unfortunate incident that did occur. Prior to this matter being raised here there was no contact with the special committee on the hard-to-place. Why there was no contact would be speculation and I do not think speculation would help this matter.

Mr. R. F. Johnston: A supplementary question, Mr. Speaker: I have not seen such subterfuge and bafflegab in a long time. Will the minister tell us what program she is taking at St. Thomas? What is the program?

Hon. Mr. Drea: Have you—

Mr. R. F. Johnston: Wait. I have more for the minister. What is the specific program she is getting? Why did the staff say it was baby-sitting? Why did the hard-to-place committee not deal with this first? Let him not say he does not know why. Let him find out why. We need to know why. This child was admitted and he is making it sound as if it was the parents who sent her there. She was admitted involuntarily by her doctor—

The Acting Speaker: You are asking a supplementary.

Mr. R. F. Johnston: Admit that. The minister lists all his facilities in southwestern Ontario. Is it not the case that there are 1,700 kids on waiting lists?

11:10 a.m.

The Acting Speaker: Is the honourable member asking a supplementary? Has he asked the question?

Mr. R. F. Johnston: That is right. Yes. I am asking whether it is not the case there are 1,700 kids on waiting lists for community health centres in Ontario?

The Acting Speaker: Thank you, you have asked your supplementary. I will call upon the minister to give a response.

Mr. R. F. Johnston: It is so much garbage.

Hon. Mr. Drea: I guess it is normal, when

somebody is running for leader, to help out a colleague who has been caught with his pants down, but—

Interjections.

Mr. Speaker: Order.

An hon. member: The member for Timiskaming (Mr. Havrot) called him a vulture, which is uncalled for.

An hon. member: It is just not acceptable.

The Acting Speaker: Order. Sit down. I have the floor. Is this a point of order?

Mr. R. F. Johnston: A point of privilege, two points if I might: One is that the member for Scarborough Centre is imputing motives if he says I only get outraged with him when I am running for the leadership. I have been outraged by his treatment of kids in this system before. The second point of privilege is that the member for Timiskaming called me a vulture. I want you to withdraw that, you son of a bitch.

Interjections.

An hon. member: He called somebody a vulture; that is all right.

The Acting Speaker: Order. Order.

An hon. member: Is "vulture" unparliamentary?

The Acting Speaker: Honourable gentlemen of the House—

An hon. member: And ladies, too.

The Acting Speaker: And ladies. We are honourable members. Name-calling such as this can be withdrawn and we can continue to be honourable. So would you withdraw the allegation of that word and I will ask the honourable member here to withdraw the statement he just made. I did not hear it but if an honourable member did make such a statement, he should withdraw it.

Interjections.

An hon. member: It was not an honourable member.

The Acting Speaker: I did not hear the statement, but if a statement has been made by the member for Timiskaming—

Mr. Smith: There is no honourable member from Timiskaming.

Interjections.

The Acting Speaker: If the member for Timiskaming made such a statement, I ask him to withdraw it.

Mr. Havrot: Mr. Speaker, I do not know what statement the honourable member across the House is referring to.

The Acting Speaker: It is attributed to you that you called him a vulture. And then I want to go after him too.

Mr. Havrot: I withdraw the statement, Mr. Speaker. I will tell him—

The Acting Speaker: Thank you. I would look to the member for Scarborough West to withdraw his statement.

Mr. R. F. Johnston: I will withdraw the “son of a bitch.”

The Acting Speaker: I call upon the minister to complete his response to the supplementary question.

Interjections.

Hon. Mr. Drea: Mr. Speaker, may I repeat my classic line? I was trying to be kind to the honourable member. I was saying it would be quite normal that someone who was running for leader of a party would try to defend a colleague who has been caught with his pants down. He should not get in too deep. The member for Windsor-Riverside made a number of allegations. He knows they are not correct.

Mr. R. F. Johnston: They are. Everything you have said was—

Hon. Mr. Drea: They are not correct and he knows it.

The Acting Speaker: Order. The minister will respond to the question.

Mr. Foulds: Everything you said substantiates it. Tighten your belt, Frank.

Hon. Mr. Drea: Did I detect another—I did not hear the first one, but it seems to me that somebody called me something.

In terms of the program at the St. Thomas hospital, she was assessed there. Because of that assessment there are two very specific and very important neurological and neuropsychological tests going to be done at CPRI in January.

Mr. MacDonald: Five years late.

Mr. Eaton: Five years late? Do not forget 1979 in Sick Kids.

Hon. Mr. Drea: My friend says “five years late.” She was assessed as late as 1979, not only in Windsor but at the Hospital for Sick Children in Toronto.

The drug therapy is to stabilize her. Obviously her behaviour has improved. She is in a work activity program and I have already pointed out a tutor is being retained so that her education can be maintained while she awaits the tests at CPRI.

Ms. Copps: A supplementary question, Mr. Speaker: The minister has stated the supervision for this girl has changed hands five times in the last two years. He has also stated he has only 34 beds in the whole of southwestern Ontario to handle a hard-to-treat young patient. Does he call this quality care?

Hon. Mr. Drea: Mr. Speaker, I think the member for Hamilton Centre may have misinterpreted something. It is 34 beds in two psychiatric hospitals. It is the professional diagnosis at this time, and was the professional diagnosis at Windsor regional centre, that she did not require that type of secure treatment.

Mr. Cooke: A point of privilege, Mr. Speaker: I believe this to be a legitimate point of privilege. Some very unfortunate accusations are directed towards the parents of this child. The impression—

The Acting Speaker: I consider this not—

Mr. Cooke: Mr. Speaker, I ask you to listen to this. The flavour of this statement and what it means to this family is incredibly important. I would ask that you would give me the opportunity to list my—

The Acting Speaker: I do not see this as a question of privilege.

Mr. Cooke: Mr. Speaker, the minister indicated this child was admitted by the parents. The fact is there was a committal—

The Acting Speaker: Order. It is time for a new question.

Interjections.

The Acting Speaker: Gentlemen, I have the floor. The member for Point Arthur.

Mr. Foulds: A point of order, Mr. Speaker: My colleague wishes to place on the record a correction of inappropriate and inaccurate information that the minister has made in his statement. I believe that is an appropriate procedure for my colleague to follow in this House in order to correct the record.

The Acting Speaker: There are other forms in question period for that clarification. You can ask questions. I will call upon—

Mr. Foulds: Mr. Speaker—

The Acting Speaker: Is this a point of order?

Mr. Foulds: This is a point of order.

The Acting Speaker: Is this the same point of order?

Mr. Foulds: This is the same point of order.

The Acting Speaker: I have ruled on it. I am calling for a new question; the honourable member for Huron-Middlesex.

Mr. Foulds: Mr. Speaker, I am challenging your ruling.

Interjections.

The Acting Speaker: The honourable member for Port Arthur should realize that, during question period, the rulings of the chair are in the hands of the chair. I will therefore call upon the member for Huron-Middlesex.

The honourable member for Ottawa Centre.

Mr. Cassidy: Thank you, Mr. Speaker.

The Acting Speaker: Is this a point of order or a point of privilege?

Mr. Cassidy: This is a point of order, Mr. Speaker.

The Acting Speaker: Thank you.

Mr. Cassidy: I want to put it forward in a very strong manner. We are talking about a family which has been devastated by mental illness for some 10 years. Surely this House still has enough regard for ordinary people in the province that the simple correction the member for Windsor-Riverside wants to put on the record should be put there now so we do not further abuse that family.

Hon. Mr. Drea: Mr. Speaker, I think perhaps a sentence or two might relieve the honourable members from their concern.

Mr. MacDonald: It's out of order. It's been settled.

Hon. Mr. Drea: Well then, fine; so be it.

Interjections.

The Acting Speaker: The point of order was persisted in. The minister is responding to the concern raised by the member for Ottawa Centre. He is going to make a short statement.

Mr. MacDonald: Two sets of rules; they get the floor when they want it, but we can't.

The Acting Speaker: Order.

Hon. Mr. Drea: Mr. Speaker, there is no question Dr. Johnson signed the documents that admitted the girl to St. Thomas Psychiatric Hospital.

Mr. Cooke: Why isn't that in the statement?

Hon. Mr. Drea: Just a moment, please. However, we have been assured that Dr. Johnson consulted with the parents, told them exactly what was going to be there and that the parents physically drove the child with her belongings to St. Thomas Psychiatric Hospital. I

do not know how the inference would be drawn but there is no intent at any inference that the parents took her to the St. Thomas Hospital without a medical form or admitted her themselves.

11:20 a.m.

AID TO AGRICULTURE INDUSTRY

Mr. Riddell: I have a question for the Chairman, Management Board of Cabinet. He has some control over the province's purse-strings and is, I know, most interested in the farming industry. I trust the chairman was at the Ontario Federation of Agriculture meeting which was asking for an interest rate subsidy of about \$150 million and a six-month moratorium on farm foreclosures. No doubt he heard the Treasurer state that he would bring in some kind of farm assistance before the Legislature ends its session at Christmas, a very firm commitment.

Since he made that announcement, the minister announced a cow-calf stabilization program. I grant him that. I recognize there has been some limited financial assistance to the beef industry, but the beef sector is only one sector of the agricultural industry in this province which is facing very serious problems. Given that the one overriding concern affecting the entire agricultural industry is unbearably high interest rates which have been addressed by other provinces, what is the Treasurer, in the minister's estimation, going to do to fulfil the promise he made to the farmers at the OFA convention?

In other words, what programs will the Treasurer announce before this session ends? Can we expect to hear an announcement on these programs from the Treasurer before the session ends next week? The farmers want to know.

Interjections.

Hon. Mr. McCague: Mr. Speaker, in all seriousness it is an important issue. I will ask the Treasurer what he intends to do and let the member know on Monday.

Mr. Elston: Supplementary, Mr. Speaker: I would like to address a question to the minister, since he is in charge of approving expenditures of moneys for the programs. I would ask him to advise what programs are now before the committee to assist farmers in relation to these high interest rates.

There was a demonstration at Port Elgin by more than 350 farmers in my riding who are concerned about problems of high interest

rates. They are destroying the very basis of their whole industry around that severely stricken centre of agriculture. On top of farm people involved in this demonstration—a very orderly one at that—were members of the business community and labour who are also hurting from these high interest rates.

I would ask the minister to advise us what he has in front of him now that is going to assist the people of this province, particularly what he is going to do to make an announcement that would promise plans by the Treasurer in relation to assistance to our farm people?

Hon. Mr. McCague: Mr. Speaker, the honourable member has asked a similar question of the Minister of Agriculture and Food in the past few days—

Mr. Bradley: We did not get an answer.

Hon. Mr. McCague: That minister said there was a committee studying the Biggs report and he expects to hear from them shortly. I, as Chairman of Management Board of Cabinet, do not have a program in front of me from the Minister of Agriculture and Food at this time. The member understands why.

DOMESTIC WORKERS

Ms Bryden: Mr. Speaker, I have a question of the Minister of Labour. Now that the federal government is planning some action to end the exploitation of imported domestic workers under the immigration law, when will the province stop the exploitation of domestic workers under Ontario laws which allow well-heeled employers to pay 50 cents under the regular minimum wage and allow them to require these workers to work or be on call for 132 hours a week?

Hon. Mr. Elgie: Mr. Speaker, first let me categorically deny the province in any way condones any exploitation of domestic workers. The member knows full well it was this minister in 1979 who encouraged the federal government to get on with the business of straightening out the immigration laws with respect to offshore domestics. She knows that.

She also knows this minister had included domestics in the provisions of the Ontario Human Rights Code, and she knows this minister introduced regulations last year which extended the protection for domestics under the Employment Standards Act over what was there before.

So I am not sure where the member gets the idea of exploitation. What I see in this area with

this government is a matter of leadership, and I am surprised and disappointed she does not agree with that.

Ms. Bryden: Supplementary, Mr. Speaker: I do not see how the minister can consider there is no exploitation when all that is guaranteed under the Employment Standards Act is \$3 an hour and 36 hours a week off, which means that for the other 132 hours of the week the workers are on call.

Furthermore, the federal minister is now going to require that imported domestics be given time off to take evening classes so they can upgrade their skills and thus qualify for landed immigrant status and better jobs. Will the minister make provision in his laws so all domestic workers in Ontario will be entitled to additional time off beyond the 36 hours a week, which is their free time? Will they be provided with time to attend evening skill-training classes so they can also upgrade their skills and qualify for better jobs and better pay?

Hon. Mr. Elgie: Mr. Speaker, the employment standards officers are able to enforce anything that is included in an employee's contract; I trust the member knows that. So the provisions that have been made through the federal government will be matters of contract that can be enforced. If any other domestic has a contract that has other items that are related to the employment standards branch, they too can be enforced.

The member knows full well the rate of pay for domestics had to take into account a variety of factors. First we have to be concerned that we do not eliminate employment. To achieve that we did not look at any bare minimum wage. We looked at what the market was paying for domestics at that time, and we set a rate—

Mr. Foulds: Ah.

Hon. Mr. Elgie: I know the member opposite does not like the facts, but if he wants to listen and understand the facts I hope he will have some agreement.

The rate was established at a level that was slightly above what the market was paying. We also have to remember that the case of domestics is not like that of employees in other situations whose pay can be deducted from income tax. These are after-tax payments that families are making to hire domestics.

I understand all the concerns all of us have about it, but we have to look at all the elements of employment and so as not to lose it, to pay in this case what the market is willing to pay or a

little more, and to remember who is making the payments and where the money is coming from. These are after-tax dollars not subject to deduction from income tax. The government has to look at all those things. I understand the member does not, but we are interested in retaining employment in this province.

ATTENDANCE IN THE HOUSE

Mr. Nixon: Mr. Speaker, on a point of order: Just before we leave question period, there are a good number of ministers here now, but Friday mornings we always have a little difficulty starting question period because the ministers do not have, I guess, fast enough cars or whatever to get them here on time. Sometimes, although not this morning, points of order have to be raised in order to make things go nicely until these members are in here ready to do their thing. Could you suggest to them that they earn their money and get here on time Fridays?

Interjections.

The Acting Speaker: Order.

Hon. Mr. Wells: Mr. Speaker, on that point of order, it is my recollection that there are usually about three or four in each of the opposition caucuses at the time my friend refers to the members of the cabinet not being here. I think everyone tries to be here right at 10 o'clock. If my friend is as concerned as he would seem to indicate, if he would give to us a list of the ministers he would like questions asked of first, we will—

11:30 a.m.

Mr. Nixon: Cabinet is supposed to be here for questions.

The Acting Speaker: Order.

Hon. Mr. Wells: If everybody in the front row opposite is sitting here at 10 o'clock too—

Interjections.

Hon. Mr. Wells: My friend says, "We will give you all the questions." Does he realize they do give the questions to the ministers in Westminster still? Perhaps—

Mr. Bradley: That's fine, but this is Ontario.

Mr. Cassidy: That's not our tradition.

Mr. Nixon: There was a traffic jam on Highway 10 and the Premier is just getting here now.

Mr. Kerrio: Maybe the Premier would like to speak to this point of order.

The Acting Speaker: Order.

Hon. Mr. Wells: Mr. Speaker, on this point, the members of the procedural affairs committee who are going to Westminster in January might like to look at that procedure, and see if out of it might come something to bring a little more order and decorum to our question period.

Mr. Cassidy: Mr. Speaker, on a point of order—

The Acting Speaker: Is this on the point of order?

Mr. Cassidy: Yes, Mr. Speaker.

Mr. Smith: Those ministers have to answer the questions too.

The Acting Speaker: Order.

Mr. Cassidy: I have spent some time at Westminster, and also some time studying the British system. It is not our system. Under that system the Prime Minister comes up for maybe half an hour's worth of questions every two weeks. If that system was applied in this province, with this government and the way this government avoids giving information to the Legislature and to the province, this system would be used as a means of concealing information from the Legislature, not of providing it.

REPORTS

STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Eves from the standing committee on regulations and other statutory instruments reports the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Industry and Tourism be granted to Her Majesty for the fiscal year ending March 31, 1982:

Ministry administration program, \$3,632,400; ministry policy and priorities program, \$1,591,000; industry development program, \$15,739,000; tourism development program, \$14,321,000; Ontario Place Corporation program, \$21,000; industrial incentives and development program, \$31,447,600; office of procurement policy program, \$180,000.

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Harris from the standing committee on resources development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of the Environment be granted to Her Majesty for the fiscal year ending March 31, 1982:

Ministry administration program, \$6,780,600; environmental assessment and planning program, \$21,380,500; environmental control program, \$217,706,500; waste management program, \$7,369,000;

And that supply in the following supplementary amounts and to defray the expenses of the Ministry of the Environment be granted to Her Majesty for the fiscal year ending March 31, 1982:

Ministry administration program, \$27,000; environmental assessment and planning program, \$1,033,000.

MOTIONS

HOUSE SITTINGS

Hon. Mr. Wells moved that notwithstanding any previous order, the House will meet in the Chamber on Wednesday next at 2 p.m. and on Thursday next from 10 a.m. until 1 p.m. with routine proceedings at 2 p.m.

Motion agreed to.

INTRODUCTION OF BILLS

LEGISLATIVE ASSEMBLY AMENDMENT ACT

Mr. Ruston moved, seconded by Mr. Haggerty, first reading of Bill 196, An Act to amend the Legislative Assembly Act.

Motion agreed to.

Mr. Ruston: Mr. Speaker, the bill provides for a deduction of \$100 from a member's indemnity for each day of absence from the assembly over 10 days in a session while it is sitting, unless the absence is because of illness, pregnancy, childbirth or official business.

Mr. Philip: Mr. Speaker, on a point of privilege: Would it be possible for the member for Mississauga East (Mr. Gregory) and myself to second that bill?

ORDERS OF THE DAY

VICTORIA UNIVERSITY ACT

Mr. Williams moved second reading of Bill Pr35, an Act respecting Victoria University.

Motion agreed to.

Third reading also agreed to on motion.

CANADIAN REFORMED THEOLOGICAL COLLEGE ACT

Mr. Foulds, on behalf of Mr. Kerr, moved second reading of Bill Pr42, An Act respecting

the Theological College of the Canadian Reformed Churches.

Motion agreed to.

Third reading also agreed to on motion.

House in committee of supply.

ESTIMATES, OFFICE OF THE LIEUTENANT GOVERNOR

On vote 101, Office of the Lieutenant Governor program:

Hon. Mr. Davis: Mr. Chairman, I have a few brief observations on the traditional passing of the estimates for the Office of the Lieutenant Governor.

I would like to take this opportunity to say on behalf of the government, and I am sure this view is shared by the members opposite, how much we appreciate the dedicated way in which he is pursuing the responsibilities of that important office.

From the relationship I have developed with the Lieutenant Governor, I am aware of his great commitment not only to that responsibility but to the symbol that office represents.

11:40 a.m.

The Lieutenant Governor of this province has not been reluctant to travel to all parts of Ontario. He has been available for many activities both here in the buildings and elsewhere. The Lieutenant Governor and his very charming wife are discharging their responsibilities with dignity and enthusiasm, and I would like to take this opportunity to express very briefly my appreciation as the Premier of this province for what he and Mrs. Aird are doing.

Mr. Smith: Mr. Chairman, I second entirely the comments made by the Premier. I believe we are being very well served indeed by the Lieutenant Governor and by Mrs. Aird as well. Even as Leader of the Opposition I find it difficult to oppose the estimates in this instance. In fact, I am totally in favour of them, and I want to assure the populace of Ontario that I felt this way even before the reception given to all members of the House and others by the Lieutenant Governor just the other day.

It is difficult to vote on his estimates right after receiving such warm hospitality, but there is no conflict involved. He is doing his job very well, and he is a very dedicated and sincere person and an excellent representative of Her Majesty Queen Elizabeth in Ontario. I think all

of us can count ourselves lucky we are being so consistently well served by a succession of excellent Lieutenant Governors.

Mr. Cassidy: Mr. Chairman, I want to say a word as well in support of the Lieutenant Governor's estimates. It is not normal for this party to support every estimate that is brought forward by the Lieutenant Governor in Council, but this is one with which we can all agree. It does not even have some of the contentious features of the votes with respect to the assembly.

I would like to make a couple of specific suggestions, which I know the Lieutenant Governor will take in a positive fashion. First, there may be occasions from time to time when the Lieutenant Governor might travel outside this province to other parts of Canada, to western Canada and also to Quebec, as an emissary not on behalf of the government but on behalf of the people of Ontario.

Second, we are familiar with the work done by the Lieutenant Governor's predecessor and by the work that has been done by people holding vice-regal office elsewhere in Canada in seeking to bring the community together and to reach out to all elements of the Ontario community. I hope very much that the Lieutenant Governor will see it as his mandate on behalf of this Legislature and this province to reach out to young people and poor people as well as to people who are privileged.

He may have done it already. If not, I would like to welcome the Lieutenant Governor to visit Rochester Heights, which is a public housing community in my riding of Ottawa Centre; or have him go to Regent Park or to the Plainer, the community in Chapleau where many sawmill workers live, a community that does not have all the privileges we enjoy in Ottawa and Toronto.

The Lieutenant Governor is the Queen's representative on behalf of all the people in this province, and I hope he considers that mandate very seriously.

Vote 101 agreed to.

Mr. Chairman: This completes the estimates of the Office of the Lieutenant Governor.

ESTIMATES, OFFICE OF THE PREMIER

On vote 201, Office of the Premier program:

Hon. Mr. Davis: Mr. Chairman, I hope the estimates of this office will receive the same enthusiastic endorsement from members oppo-

site. I make that statement in advance of their constructive contributions, and I look forward to the suggestions they may have to make.

At the outset, I would like to say one or two personal words about the staff in the Office of the Premier of Ontario. It is an occasion for me to express to them publicly my appreciation for their very dedicated, very loyal and—just as important—very competent assistance, not in terms of my own responsibilities but the responsibilities this office discharges to the general public.

It is always dangerous to single out any particular person on one's staff or with whom one is associated, but I think the members opposite will join with me in expressing a special word of appreciation to my secretary. All of us recognize the importance of our secretaries. They probably run our office for us and indirectly make some of the very important decisions.

Mr. Smith: Don't blame her.

Hon. Mr. Davis: No, I would never blame her. But I would like to single out Miss Anderson not only from the standpoint of the competent way in which she looks after her duties, but also for her loyalty and length of service, not just to the Premier but to the people of Ontario. On July 1 or 2, Miss Anderson had then given 50 years of public service as an employee of the government of Ontario. I think she deserves some genuine recognition. I could be very personal and say she is a very tolerant person.

As many members know, she worked in the Ministry of Education for some years. She served well some very distinguished Ministers of Education. When my predecessor became Premier one thing he did for me, for which I shall always be grateful, was to leave Miss Anderson in the ministry. I did not do that for my successor in the ministry. I persuaded Miss Anderson to move into the Office of the Premier. She really is typical of so many employees of the government of this province, who are sometimes criticized, but none the less many thousands of whom give dedicated service to the people they so properly serve.

I think it is somewhat traditional in the estimates of the Office of the Premier to combine the two estimates, because it is sometimes difficult to single out the responsibilities in the Premier's office or the Cabinet Office. From my standpoint, I would have no objection

if the observations or questions from members opposite in some way or other trespass across those sometimes rather flexible lines.

Mr. Cassidy: You tell them what to do anyway, so we agree.

Hon. Mr. Davis: No. I am at the will of cabinet. I do what cabinet says.

Mr. J. A. Reed: Did you do that on Suncor?

Hon. Mr. Davis: No. There was not total consultation in cabinet.

The Leader of the Opposition (Mr. Smith)—I am not sure why—apparently inquired through the office of the Minister of Energy (Mr. Welch) how long I might be this morning. Quite honestly, I do not have a prepared opening statement, which is not usually my custom. I assured the Leader of the Opposition that I hope to be relatively brief. He gave me a verbal undertaking that if I took 20 minutes he would be five minutes. I do not really think he will finish in five minutes, but I hope not to trespass too long.

Mr. Riddell: Might we suggest you try a prepared text once in a while.

Hon. Mr. Davis: I say to the member for Huron-Middlesex, in my limited experience in public life I always find those few addresses I make that really flow spontaneously are perhaps better received by the audiences I address than those that are prepared with such great care and such expertise by those who have that responsibility. I know that is not the case in your situation. You love to stick to the prepared text. I can tell here in every question period. None of it is spontaneous. It is always in a moderate and well-modulated voice, never raising the tonsils one level. I know what you are saying.

I would just like to refer to two or three matters, not necessarily to set the tone, because one never knows the tone of these discussions, but to try to look at two or three general issues that I think, as head of government, should be mentioned. I am not going to relive or restate the constitutional discussions that have gone on. The matter has been discussed. I gave a fairly lengthy report to the members of this House after the first ministers' meeting. This is the first occasion I have had to mention this particular matter since the resolution was approved by the House of Commons and by the Senate of our country and is now in the United Kingdom.

11:50 a.m.

While all of us will express some reservations

with some aspects of the resolution that was ultimately approved, and while there are, I guess, reservations in terms of just what has been included—the inclusion of the notwithstanding provision as it relates to some parts of the charter, I am one of those who acknowledges that we might have seen it in a somewhat different form. We are not totally satisfied, yet I think what really emerged was the recognition that it was better to have something less than perfection in this country and have a far greater measure of support for this important step.

I do express my appreciation to the first minister of this country and to the other Premiers. As I said on a previous occasion in this House, I was really not too sure when the first ministers met that we would be able to achieve the measure of compromise that we did. I think improvements have been made beyond the accord by the House of Commons, approved by the Senate. I think the inclusion, obviously, of women's rights and the definition of native rights are areas of improvement.

I must tell members of the House a little personal story. In the intervening period after telling them in Ottawa what I thought would happen on women's rights, I met two of my fellow Premiers, one of them at the Grey Cup game—members can guess who that particular Premier was—and another Premier from Atlantic Canada. I am never one of those to say, "I told you so," but it was kind of fun to say to them, "Now you see that what we predicted in Ottawa has, in fact, come to pass."

I think the government of Canada, the House of Commons, recognized the need to show some measure of flexibility. The amending formula has been altered somewhat from what the first ministers agreed to in Ottawa by including in the amending formula provision for fiscal equivalency when those areas in culture and education were to be affected by any possible amendment.

That indicated not only a measure of flexibility but certainly a recognition of one of the basic concerns expressed by the Premier of Quebec.

I said it then and I repeat it in the light of last weekend's events, that as Premier of this province—I am sure members opposite share this point of view—we still maintain our concern with respect to the future posture, position and policy of the government of Quebec. I reiterate what I have said two or three times since the conference. The other first ministers made a genuine effort to see that we developed an accord or a constitutional package of reform that would enable the Premier of that great province to join with us.

It is with more than regret, it is with concern, of course, that we see what is happening in Quebec today. I cannot suggest what may happen, what events will move in on us in terms of what that government may do. I must say I cannot really react to or sort of analyse the events of the Parti Québécois over the weekend. It would appear that delegates to their conference or annual meeting—whatever way it was described—took the position as a party that they would go the route of total independence.

From this perspective, I was encouraged that the Minister of Finance or Treasurer of Quebec, who I think tended to support that particular point of view at one stage in his political career, appeared to be urging conference delegates to stay with the concept of sovereignty-association. Certainly, the Premier of the province has maintained that as being his position.

I was asked by the media—I am always intrigued by these questions—on the Sunday evening or on the Monday, I guess, “Are you in support of Premier Lévesque’s position of sovereignty-association as opposed to independence?” I made it clear, and I have made it clear since, that that really does not solve the problem at all. In my view, there really is not that choice. Obviously, none of us finds independence acceptable, and I cannot accept the fact that some may say sovereignty-association is the lesser of the two evils. I cannot accept that as a concept either. I make that statement very simply and not, certainly, on this occasion intending to be in any way provocative.

I look forward to the finalization of the patriation program. I cannot predict for members of the House—I have no greater knowledge than anyone else—when it may finally come to a conclusion, when in fact it will return to this country or when the government of Canada intends to proclaim it.

But I say in a very personal sense that after so many years, so many meetings, so much discussion and a lot of rhetoric, it is an accomplishment of which the people of this country can be proud. It gives us a sense of maturity. It gives us something to build on. The process is not over; it will be ongoing, and, of course, this province will continue to participate in a very constructive and positive fashion.

To deal with one other general issue, I want to reflect on one or two economic issues and the recent federal budget. I am not here to deal in a lot of rhetoric or in any way to provoke the government of Canada or the Minister of Finance, who, I am sure, at this moment feels more than a little besieged.

I am not going to minimize the economic situation in this province from my perspective. I can say to the honourable members that as a government we are very concerned, though primarily in the short term, because we remain quite confident and optimistic about the longer-term economic future of this province. I will not go through the statistical information on the numbers of new jobs and the employment opportunities that have been created. They are there, and I am quite prepared to discuss them. I want to deal with it in a more general fashion.

It is frustrating, I think, for all of us to see what is happening and to understand that in some sectors at least what is happening to the economy of this province and to so many other places is really beyond the control of a provincial jurisdiction. I refer specifically to the automotive industry, which affects many members in this House. Certainly there is an impact in my own constituency with American Motors.

While they have been maintaining a reasonable share of the market, yesterday they moved from a two-shift to a one-shift operation. This does not mean that at some point the American Motors organization, in conjunction with Renault, will not be competitive, that they will not have a valid market share in North America; but in the short run they are being affected just like every other automotive company.

I share with those honourable members who have the automotive industry in their constituencies the very genuine concern we feel. I know there are some who might suggest we could do this, we could do that, there are perhaps some short-term measures we might consider. But it is frustrating that the reality is that so much of the product which is produced in the automotive sector here is sold in the United States.

There is no question that our own market has maintained its level better than that of the United States. In terms of the impact of layoffs on the automotive sector, we in Ontario have not suffered on a percentage basis any more than other places, not only in Canada but in terms of numbers in the United States, where the impact is as great, perhaps even greater, with one or two of the companies.

I think it is fair to state on the basis of my discussions with the industry, my discussions with some members of the union, that they are relatively confident this will turn around some time in 1982. It is hard to predict accurately when this may occur. The demographics are certainly there; the potential demand in the automotive sector is real. One only has to

calculate the number of vehicles that have been on the road for a longer period of time than is traditionally the case.

There is no question, either, in the minds of the industry spokesmen, the people with whom I have discussed it, that the most significant negative impact on that industry relates to the question of interest rates. We can discuss it here, I can belabour the government of Canada, and honourable members can join me in belabouring the government of Canada, but it is still the interest rates in the United States that have the significant impact on the automotive sector because so much of our product is exported to that country. This applies to the farm implement industry and many other sectors of the economy, as we have discussed in this House as well.

The thing that concerns me most about the federal budget is that perhaps it was developed before there was a total awareness or appreciation of the difficulties we are experiencing economically in this country. I can understand how these things happen, and I sometimes feel that the federal budget was developed in some degree of isolation in terms of the government of Canada itself.

12 noon

I just give you one example. It is beyond my comprehension how the people in Finance could develop a budget that dealt with the multiple-unit residential buildings—whether one agrees it is a good program is not the issue—in a way not specifically referred to in the budget but there is no question the next morning the people understood exactly what was intended and it was evident consultation between Finance and housing, or whoever administers the program in the government of Canada, could not have existed. To put the government of Canada in a position where there actually were holes in the ground, or plans under way and many thousands of units could have been under construction, and to remove that incentive, if that is the way it is described, I think indicated—

Mr. McClellan: How would you describe it?

Hon. Mr. Davis: Sure, you can quarrel with the MURB program. I am not defending it. I am not being critical of it. I am only saying that in terms of employment, in terms of the economics of it, to call it to a halt in the fashion they did just did not make any economic sense to me. It indicated to me there was perhaps a lack of consultation or a lack of understanding. I make this prediction, Mr. Chairman, that the people

in housing did not know this was a part of the federal budget; and I think this applies to some other provisions contained in the budget.

I can recall the Prime Minister of this country saying this budget would soak the rich. I guess, politically, that would have a certain measure of appeal. Certainly it would to the member for Bellwoods (Mr. McClellan) and one or two others. I can understand that. But then the budget emerged, and after careful analysis, I think it is apparent that it is not a budget that soaks the rich; it is a budget that affects just about everybody. It affects them in a way one should try to understand.

What I was trying to say to the Canada-Israel Chamber of Commerce the other day at lunch is that there is a philosophical side to the budget that gives me great concern. That philosophical side to the budget is, I think, the discouragement of people to provide for their mature period, old age security. I think it was a disincentive for small investors. I think it really does give the offshore people an added advantage over Canadian investment. I think it brings into question the provisions some people make through annuities or insurance policies for their own pension provisions further down the road.

I do not quarrel with tax changes. We have to live with them. When I say I do not quarrel with them, I can understand it if they raise this level of tax or that level of tax, but I do not quite understand the philosophical change in direction being made or proposed without some extensive measure of consultation. If we went back, as some members could, to a fellow by the name of Mr. Benson, when we had the white paper, we had some extensive discussions.

None of that was developed without very real consultation with the people who were to be affected, not just the business community but consumers' groups and others. What I attempted to say on Wednesday this week is that I think this budget needs not only careful analysis but an opportunity for groups and individuals to have some say before the final regulations and laws are drafted.

Mr. McClellan: Would that be a precedent, even applied here?

Hon. Mr. Davis: No. As a matter of fact it would not be a precedent, because they did it with the Benson white paper as well.

Mr. McClellan: No, I meant here, in terms of your budget.

Hon. Mr. Davis: Listen, we have never been significantly philosophical. We have only mod-

estly adjusted taxes in some years. I have this concern, Mr. Chairman. I cannot really think of a time in the economic life of Canada when we did not need this kind of budget. It has created a measure of uncertainty that is, I think, a negative in terms of the investment community. It is questioning the confidence of the business community and others, in terms of dealing with the economic realities of the day.

I am encouraged, and I hope I am not becoming too optimistic, that the observations are really getting through to the Prime Minister; they are getting through to Mr. MacEachen. Perhaps there will be a reassessment of some of the proposals that have been put forward. I think what we need at this moment is a budget that indicates a measure of certainty, a sense of direction, and where there is some encouragement in terms of investment, in terms of savings. While I will never argue against the concept of "plugging loopholes," it sounds very attractive, but when you extend the concept of plugging loopholes into—

Mr. Cassidy: In theory yes, in practice no.

Hon. Mr. Davis: No, I do not quarrel with the concept of plugging a loophole, but I do object strenuously to the concept of developing a budgetary strategy that in fact impacts upon each and every person, and provides a measure of uncertainty, a lack of confidence that this country can ill afford at this present moment.

Mr. Cassidy: Does the Premier agree with cutting the tax rate from 50 per cent to 66 per cent?

Hon. Mr. Davis: Listen, I guess if I had been Minister of Finance, I would not have approached it from that direction. I realize that may sound like heresy to some people. I think they went at it sort of in a backwards direction.

I suggest, without getting into a careful analysis of the budget, which I know members of the standing committee did with the Treasurer of this province, that in general terms, not getting into the specifics item by item in the federal budget, my general reaction is one of disappointment, one of concern and a hope and an expectation that the government of Canada will make some modifications that will resolve some of these problems in the minds of the people of this country. I know the problem that exists, the reluctance to make these changes when one comes forward with a budget.

I pointed out in my telex to the Prime Minister, and I was not being facetious or anything else, that I suggested with respect that

probably some ministries and perhaps even the government itself were not totally aware of the impact of some of the changes that were contained in the budget, and that it should not be that difficult to reconsider some of these aspects.

Mr. Chairman, I have gone about eight minutes longer than I had intended. I have other things I would like to say with respect to some of the more general issues, but perhaps it would be appropriate to cease my observations. After other members have had an opportunity, I may come back to some of the things I have a few notes on here and refer to them then.

Mr. Chairman: Previous to the Leader of the Opposition speaking, the Premier suggested the possibility of combining both estimates, vote 201 and that of cabinet, which is vote 301. Is that agreeable to all parties?

Agreed to.

Mr. Smith: Mr. Chairman, I intend to be very brief. This is my last opportunity to respond as the person directly in charge of having to carry the opposition view on the Premier's estimates. I have spent some six years, I guess perhaps five estimates—I am not sure, I have not looked back—discussing these matters. Obviously, it is not going to come to me to have the possibility of discussing these estimates from the other side of the House, that being the will of the people of Ontario.

I must confess I have been trying to find a way to sum up, in as brief as possible terms, my deep concern with the priorities which move this Premier, with whom I have no quarrel on a personal basis, but with whom I have a very great quarrel in terms of his political and government priorities. What I intend to do is be extremely brief and read into the record two lists which, from my six years here, typify what I think is the absolutely wrong set of priorities that has come to this government and to this cabinet directed by the present Premier.

The first list I care to read is a list of prosthetic and orthotic devices not covered under the Ontario health insurance plan. I will start in this list with an appliance known as a Symes appliance. It costs \$969 and is for those who have lost a foot due to accident or surgery. There is a below-knee appliance for those who have had amputations. There are a number of different kinds, ranging in price from \$1,000 to \$1,469 depending on type. An above-knee appliance, depending on whether it be plastic or

metal or have the possibility of a change of socket without having to change the leg, ranges in cost from \$1,625 to \$2,075.

12:10 p.m.

There is what is known as a hip-level appliance. Again, depending on the make, it may range from \$2,156 to \$2,625. There is what is known as a hemipelvectomy appliance for those unfortunate enough to have actually lost half the pelvis. The price range is \$2,500 to \$2,875. A below-elbow, plastic appliance can be \$700 to about \$1,000; an above-elbow, plastic appliance about \$1,100; a shoulder disarticulation, about \$1,875.

There are things known as orthotic devices. They do not replace parts of the body; they prop them up, or splint them, or enable them to function better. I point out such matters as a drop foot splint, \$119; full-length leg brace, a paraplegic type, \$594; knee cage brace, \$450; universal hand splint, \$125; plastic wrist and hand splint, \$169; cervical brace, \$188; spinal brace, \$263; custom-made orthopaedic corset, \$188, and custom-made abdominal belt, \$156.

Many types of orthopaedic footwear are required by people so they can carry on their daily functioning. These, too, are not covered, and they range between about \$100 and \$200, depending on what is required. Some very simple matters, special heel and arch supports, are less than \$100.

As for hearing aids, and I speak particularly of hearing aids for young children who are born deaf or close to totally deaf, and who will never learn to speak unless they have very advanced forms of hearing aids provided for them, OHIP will not cover those. They cost between \$250 and \$300 on average, but in extreme cases can go as high as \$1,000.

Canes are fairly inexpensive—\$12 for basic wooden canes; crutches, \$18 a pair. They are perhaps minor except for those to whom that is lot of money. Special hands, for those who have lost a hand, metal with rubber fingers, cost \$400; and hooks which can be used by people who have lost a hand, range from \$100 to \$250. There are motorized wheelchairs, which some require because they do not have the strength to move the wheels of their chair, if they are quadriplegic, or close to quadriplegic, or suffer from very severe cerebral palsy.

That list is not covered by OHIP.

The second list, which I would like to read into the record, contains the features of a particular jet plane the Premier has ordered for himself. It specifies: wide-body fuselage; extra

width and head room; an interior to meet high standards of comfort and luxury; capable of a maximum cruise speed of over 500 miles per hour; separate climate controls for cabin and flight deck; cabin length, 28 feet, three inches; cabin width (centre line), eight feet, two inches; cabin head room, six feet, one inch; cabin area, 202.5 square feet; cabin volume, 1,150 cubic feet;

Seating for 12 in a spacious cabin, which could seat 27; aircraft wing span, 61 feet, 10 inches; aircraft length, 68 feet, five inches; aircraft height, 20 feet, eight inches; ceiling, maximum certified operating altitude, 41,000 feet; choice of engine, Avco, Lycoming ALF 502L-2 or General Electric CF34-1A; colour scheme, blue and white with seats in subdued brown and plaids, blue broadloom; specially equipped bar; luxurious washroom.

I ask the people of Ontario to consider the two lists. It seems to me that this typifies, more than anything else, the distortion in values of the Premier, his office, his cabinet and this administration.

Mr. MacDonald: Mr. Chairman, I am afraid my remarks will be more in the traditional pattern. The House leaders, undoubtedly under the direction of the government House leader, some time ago decided they would not have a debate per se on the constitution, but rather it could be handled in the estimates of the Ministry of Intergovernmental Affairs or the Premier's office.

I was squeezed out on Intergovernmental Affairs. Too many of my colleagues were interested in it and time elapsed. Therefore, I want to seize this opportunity to discuss this matter and I appreciate very much having the privilege of doing it with the Premier himself.

Let me start by saying this: if I were a member of the House of Commons when that resolution was voted on a week ago, I would have voted with the 246 who supported it and not with the 24 who opposed it. That is not to say there are not many features of that resolution with which I am unhappy—indeed, I am profoundly concerned about some—but given the immense complexities and the difficulties of reconciling the conflicting approaches and interests of 11 governments, I think it was a triumph to achieve a consensus among 10 of those governments. In my view, it is a consensus that is worthy of support.

We shall now have a patriated constitution. It will be our right and obligation to improve the accord with future amendments in accordance with the amending formula now agreed upon.

Indeed, we can now change that amending formula here in Canada if we can secure an agreement on improvements.

We shall have a constitution with a Canadian charter of rights and freedoms, one that, thank God, includes such basic rights as the protection of the rights of women and native people. The New Democratic Party, and the Co-operative Commonwealth Federation before it, literally for the past 50 years, have been fighting for those two objectives: patriation of the constitution and, within that constitution, a charter of rights.

In my view, it would be a breach, not only of the traditions of the party, but would be ignoring the efforts put forward by literally thousands of people down through those years in an attempt to achieve those objectives if one did not at this time support what eventually was decided upon, even though there are deficiencies.

I do not propose to cover it comprehensively. It is a fascinating topic and it is perhaps worthy of comprehensive coverage. There are a number of deficiencies as I see them within the constitution that I would like to touch upon.

I must say at the outset, my most serious reservation is not with the ultimate product, but rather with the process by which it was achieved. We had in this nation, particularly in the last year or so, two confronting groups. On the one hand, there was a federal government supported by two provinces including our own. On the other hand, there were eight provinces, the so-called Gang of Eight.

There appeared to be an almost total unwillingness to compromise. Events ultimately indicated that was not strictly accurate. When the crunch came, in those two or three days leading up to November 5, there was some willingness to compromise. The result was that we got some measure of consensus and the achievement we honoured in this House when the Premier came back and reported on it.

I do not want to fix blame totally, but from my knowledge of what went on in that bizarre night and the afternoon preceding it on November 4 and 5, my understanding is that when you reached the latter part of the afternoon of Wednesday of that week, when everybody was coming to the conclusion there was going to be no success and when they were turning their minds to what they were going to say by way of rationalization, complaint or acceptance of that rather sad result, a message came down from

the federal government which had been perhaps as adamant as anybody—I do not really want to draw comparisons here—in the whole process.

12:20 p.m.

What came down was a rather startling reversal of positions hitherto held. There had been a firm reluctance on the part of the federal government to entertain the kind of amending formula that had been worked out at Victoria 10 years ago. There had been a very strong reluctance, if not total opposition, on the part of the federal government to the right of a province to opt out of any constitutional amendment. Yet what came down at the eleventh hour, in the final opportunity to achieve some measure of consensus, was a willingness on the part of the federal government to entertain this.

I understand that over the supper hour it began to trickle around to the various components of these provincial groupings. As of about seven o'clock it was decided they would meet at 9:30 p.m. to take a look at it. From this government's point of view and that of a number of other provincial governments across the country, they said, "Perhaps there is a possibility here." They worked on it until the latter part of the evening, near midnight.

However, they were not able to communicate with everybody. I was fascinated to learn from certain quarters that one of the problems involved was that Lougheed goes to bed at 11 o'clock every night come what may, and after he goes to bed his aides never disturb him. Therefore, there was no opportunity to confer with Mr. Lougheed until he awakened in his own good time the next morning.

Mr. T. P. Reid: What time does he get up?

Hon. Mr. Davis: Early. Some of us go to bed late and still get up early.

Mr. T. P. Reid: Right. Some of us don't have \$6 million jets either.

Mr. MacDonald: I am willing to catch my breath while this little exchange goes on.

Mr. Chairman: A little levity.

Mr. MacDonald: I do not know whether it was levity, but it was an exchange anyway.

Mr. T. P. Reid: Just a breath of fresh air in an otherwise dull submission of what we've all heard before.

Mr. MacDonald: A dullness that could be outmatched only if the member for Rainy River were on the floor.

Mr. T. P. Reid: No, I don't have your experience at it.

Mr. MacDonald: However, let us not get any lower than we are at this point by pursuing it.

We did achieve a consensus, a consensus that unfortunately sacrificed women's and native rights, something that had been won by the representations of literally hundreds of groups and thousands of people during the hearings of the joint House of Commons and Senate committee last winter.

That was a tragedy redeemed only by what was perhaps one of the most encouraging episodes in Canadian history. When the consensus came out and revealed that these two basic bodies of rights were denied, there arose across this nation such an outcry and such a relentless lobbying and pressuring that, after a week or two, they were able to revise the consensus and reincorporate into the resolution those two bodies of rights that had been lost.

During all the contributions I have made to constitutional debates in this House, reaching back to the 1960s, I have always felt these were occasions on which one should set aside partisan differences. At least they should be muted if not totally forgotten. In my view, in shaping a constitution we are seeking a definition of that common ground upon which all of us agree, irrespective of our party affiliations; in other words, we are establishing the basic rules of the game by which this nation is going to be run. For a moment, I am going to forsake that self-imposed practice of muting partisan differences.

What disappointed me, even angered me, was the willingness of the Premier and the Leader of the Opposition during the crunch in that week before we got the final revision of the constitution to engage in political pointing and gibes, directed particularly at Premier Allan Blakeney in Saskatchewan because he was holding out on enshrining women's rights in the constitution.

He did not do that because he is opposed to women's rights per se. The Premier of Ontario is well aware, because he has been exposed to Premier Blakeney's views, that he feels that decisions with regard to rights can be handled as well in the legislatures as in the courts of the land, if not better, because the courts tend to reflect the views of a generation ago. Therefore, to point fingers at Allan Blakeney for sticking to his guns on that issue, I think, was to inject back into the debate political points that were really quite unworthy of the Premier. They were picked up by the Leader of the Opposition and accepted by the Minister of Intergovernmental Affairs (Mr. Wells).

Hon. Mr. Davis: With great respect, it was your own "leader," in quotes, who provoked the discussion.

Mr. MacDonald: I do not know what the provocation of my own leader has to do with your gibing at the Premier of Saskatchewan.

Hon. Mr. Davis: Well, with great respect, he started it.

Mr. MacDonald: The point I want to make, Mr. Chairman, is that the New Democratic Party as a party does not agree with Allan Blakeney's approach, the New Democratic caucus federally does not agree with his approach and the government of Manitoba, as soon as they got it changed—and how drastic was that change when they moved from Lyon to Howard Pawley—did not agree with that kind of approach.

Hon. Mr. Davis: You know where he comes from.

Mr. MacDonald: Where? Your area of the country.

Hon. Mr. Davis: Brampton.

Mr. MacDonald: Of course.

Hon. Mr. Davis: Do you realize there are two Premiers in Canada both from the same place?

Mr. MacDonald: Is that right? Well, at least one of them is a progressive.

Hon. Mr. Davis: That's right; me.

Mr. MacDonald: I do not want to get into too much of a verbal tangle with the Premier, but it does not behoove any party to start throwing stones on this issue. All parties have been living in glass houses, and there have been divisions in all parties on this whole rather painful process of achieving constitutional reform.

For example, I remind the Liberals that when the leader of the Liberal Party joined in this political attack, a year ago when the federal Liberal government brought down its package in October 1980, a package it created and which therefore presumably embodied what it really felt were the top priorities that must be met—and, indeed, if the provinces had not agreed with it the federal government was going to drive it through unilaterally without achieving a national consensus—in that package there were no women's rights and no native rights. It is a little idle to get up on a pedestal at this late date and start throwing stones at other people.

I remind the Tories and the Premier that in the final stages of trying to get native rights reintroduced into the package, the provinces that held out at the last moment were, on the one hand, Alberta, and on the other hand, those political soul mates of the members opposite in British Columbia, to whom the Ontario Tories are sending all their organizers from the Big

Blue Machine to bolster them so they will not be defeated in the next election when the NDP is returned to power once again—the Pat Kinsellas of the world.

Hon. Mr. Davis: That's a contradiction. You can't say they're out there so they won't be defeated when the NDP wins. You can't phrase the sentence that way.

Mr. MacDonald: I can't, eh? They are out there for the purpose of achieving that. They will not succeed.

Hon. Mr. Davis: You are an academic; you give lectures. You can't say what you said just 30 seconds ago.

Mr. MacDonald: Once again I think the master of convolution in sentences should get out of that glass house before he starts throwing stones.

Hon. Mr. Davis: It wasn't a convoluted sentence; it was a contradictory one. There is a distinction.

Mr. MacDonald: Is there? At least in a convoluted sentence you can't figure out whether it's contradictory or not.

Let me come back to this. The NDP played a very leading role in shaping this constitution during the joint meetings of the Senate and House of Commons committee, where we finally got native rights and women's rights into the resolution after the Liberals had left them out. The NDP played a key role in the final package when it was tabled in the House because it was the New Democratic Party that led the way for caucuses in saying that if we attempt, in the year 1981, to bring in a new constitution that does not include such things as women's rights and native rights, it would oppose it. That assisted in opening up the whole process of public concern and public involvement that resulted in the change.

12:30 p.m.

Members of the NDP can be relatively satisfied without being vigorously proud, because nobody can be vigorously proud of a process as fortuitous, as haphazard, as irrational as the process by which we finally got to our conclusion, a conclusion that everybody, including the Premier in his introductory remarks, says is far from being a perfect one.

Now having introduced that partisan note, Mr. Chairman, let me hasten to retreat to my relatively nonpartisan approach in dealing with the constitution from this point forward.

There are two or three areas of continuing

concern I would like to touch on. The first one is the question of native and aboriginal rights. Quite frankly, in my view perhaps the most shameful aspect of this whole process of constitutional reform has been the manner and the extent to which the federal government, with most provincial governments tending to go along with it, has excluded the leaders of the native peoples from any meaningful participation in the shaping of their future destiny.

It seems to me ironical and underlines the shameful nature of the approach that only in that final meeting, in that consensus that was achieved on November 5, did there come, for the first time, a commitment to the holding of a first ministers' conference within a matter of months, at which there would be presumably an opportunity for the leaders of the native peoples to participate and resolve some of those differences.

The Premier of this province, whose political footwork is normally of a fairly high order, was smart enough to say he was in favour of native rights, while his Attorney General (Mr. McMurtry) was having a letter, some two or three months old at least, being revealed that indicated he had some serious reservations with regard to the lack of clarity about those rights. In short, it is all very well for the Premier to paper over the unresolved differences in defining those rights. I just hope there will be some initiative taken by this province, not only on this issue but on others I want to raise, to clarify what those native rights can be, rather than dragging on and procrastinating in the fashion we have done for many years.

Indeed, in the document put out by the Ministry of Intergovernmental Affairs containing articles from selected newspapers, an editorial from the Edmonton Journal was included that, as far as I am concerned, sums it up. I will put it on the record. I quote: "The agreement commits Canada to an early first ministers' meeting that will better identify and define the constitutional rights of the native peoples with an intent to include them in the constitution. Indeed, it would be appropriate if the first amendment to our constitution did exactly that, with more clarity and force than existed in the original version of the charter."

There was really no clarity and no definition of the rights in what is going to be patriated when it comes back from Great Britain. There is that obligation, and I repeat that it is an obligation I hope this government will accept and pursue.

There is a second area I just want to comment on briefly, which was presumably one of the points on which the federal government relented at the eleventh hour, thereby making it possible to achieve the consensus of November 5. That is, that if there was an amendment to the constitution, any province could opt out from the implementation of that amendment in its particular jurisdiction. That was something the Prime Minister of the country had resisted because of what he chose to describe as a checker-boarding of the nation. But I think in that inimitable capacity for compromises it may well be that we have achieved a compromise by excluding the right of a province to get any financial benefits if it opts out of a constitutional reform.

We have now made it possible or likely that there will be very little practice of opting out. In other words, the danger the Prime Minister of the country envisaged of a confederation of shopping centres is not likely to take place, nor is the danger of what has been described by others as incremental separatism likely to take place.

Whether or not one could have made it possible for Quebec to view more sympathetically the possibility of coming in on this agreement by the kind of amendment that the New Democratic group made in the House of Commons, namely of a right to opt out on the part of Quebec but not other provinces, I suppose we shall never know. That will have to be flashed through in the months or the years ahead as Quebec considers, perhaps reconsiders, its position.

The main point I want to address for a moment is the overriding power, the right of any province to pass legislation that would override a right that is contained in the national document. That, of course, applies not only to the charter of rights but to some of the basic rights and equality rights. I will be very frank with you, Mr. Chairman: I regret this power. I regretted it so much at the outset that I suspect my position might have been closer to that of my colleague the member for Riverdale (Mr. Renwick) who has spoken to it in the House already.

However, the more I thought about it, the more I came to the conclusion that perhaps it was the inevitable, the inescapable tradeoff in order to achieve a measure of consensus which the Supreme Court ruling indicated must be achieved if we were going to have genuine constitutional change in this country; namely that one had to concede to the provinces that

safety valve, and particularly that the concession is maybe not as much of a danger as some of us originally thought.

I was impressed, for example, with the fact that Walter Tarnopolsky, past president of the Canadian Civil Liberties Association and an international expert on the bill of rights, was quoted as saying, on November 7 in the *Globe and Mail*, that the compromise clause is "really not such a bad idea and could have a great many advantages."

A little later there is a comment in elaboration, "The expected reluctance of legislatures to pass override clauses means that the courts could still decide important issues of public policy, but parliaments will have an opportunity to redress the situation if they do not agree with the decision and it is in their power to do so."

On that same day in the *Globe and Mail*, following the announcement of the achievement of consensus, there was a Canadian Press story, a couple of paragraphs of which I would like to put on the record.

"Some civil libertarians say the proposed charter of rights and freedoms in the constitution is weakened, perhaps fatally, by provisions that enable Parliament and the legislatures to exempt laws from it. Others say it will become politically difficult to use the opting-out provisions, and public opinion will give the charter the muscle needed to guarantee rights in Canada and the provinces. 'Our reaction is one of great relief,' said Alan Borovoy of Toronto, legal counsel to the Canadian Civil Liberties Association, in an interview yesterday. 'They did not emasculate the charter.' Mr. Borovoy believes the opting-out provisions may never be used."

A little later in the same story, Gordon Fairweather, chief of the Canadian Human Rights Commission, agrees. He feels the opting-out clauses will become as dead from lack of use as a clause in the British North America Act that enables Ottawa to disallow provincial legislation.

12:40 p.m.

In other words, even though I started out with misgivings, if I discover that the Tarnopolskys, the Borovoyes and the Fairweathers of the world, who are as concerned about the championing of civil liberties as anybody in this country, feel that perhaps the danger is not as great as was originally envisaged, then my concerns are muted somewhat.

There is perhaps another aspect of it. The old adage is that eternal vigilance is the price of freedom. One of the problems in modern

society, and if members have had any experience or contact with civil liberties associations they will recognize it, is that when there is a crisis, the organization and the interests of the people, even that limited number of people who will become concerned about these matters, is inflamed, is active, but when there is no crisis it tends to die away.

In other words, if we have in a situation the possibility that some jurisdiction in a misguided fashion is going to exercise the overriding clause and deprive people of their rights, we have that challenge to be on the alert, because even if rights are enshrined there is no guarantee that they are going to be protected. The courts may misinterpret and legislatures may circumvent some of those guarantees if they are not challenged in the courts. In short, eternal vigilance is going to be the only sure guarantee for the future protection of rights.

We have in this country today a coalition of forces among the women, among the disabled, among native people whose consciousness on the issue has been heightened. I think they have evoked sympathy among the population at large to a point that if any government were to dare to override in a fashion that is not obviously an acceptable fashion there would be quite an outcry.

I personally, while starting out with misgivings about the overriding clause, have come to a point where I am willing to accept it. I think it is a necessary tradeoff in order to achieve and to establish the principle of federalism in which all the provinces, or at least a great majority of those provinces, are in support of the consensus.

As the Supreme Court said, one province cannot veto, and two are not enough to support, any proposal. They did not quantify what was the appropriate consensus but, certainly, it has to be something along the lines of that which was achieved in order to get the constitutional package, perhaps not always as many as nine, but something approaching that kind of consensus, six, seven, eight or nine.

However, let me turn finally to deal with the real dark shadow that falls over this whole issue, the one that the Premier himself spoke to in fair measure in his introductory remarks. That is the isolation of Quebec.

The public image is that in that so-called night of knives, as Mr. Lévesque has described it, that Wednesday night when there was a frantic effort to achieve something instead of the disaster that was impending, Mr. Lévesque was

left out of the picture altogether. Indeed, one of the news stories was that he came down for breakfast the next morning and instead of getting ham and eggs he found himself faced with the constitution.

My information, from the scattered details that have been covered in the Richard Gwyn stories and elsewhere with regard to what happened that night, is that is not quite accurate. As a matter of fact many people, including Mr. Lougheed, did not know what was in the constitutional package until breakfast the next morning.

Since Mr. Lougheed was the man designated to get in touch with that Neanderthal who was about to pass out of the picture in Manitoba and bring him aboard, he did not know anything about it. So Mr. Lévesque was not really isolated, but it is unfortunate that the public image was that in a final effort to achieve a consensus English-speaking Canada chose not to bring Quebec into the picture.

Until I learned, rather belatedly, more of the details of what went on that night, I could not figure out why somebody—maybe not this Premier because he had not been involved with the gang of eight—had not called René overnight or before breakfast the next morning and said, "Look, René, I want to let you know we have a package."

He might not have agreed to it. If he is firmly committed to separatism, I suppose he cannot tolerate a renewed federalism—that would be a real contradiction—but at least it would not have given him the excuse to say he had been isolated by English-speaking Canada.

The Premier referred to the events of this past weekend. I think it is rather fascinating because if anybody made a problem for himself it was Premier René Lévesque with his inflamed oratory. But so it was ever since the events of November 5 played directly into the hands of the militants in the Parti Québécois who said: "Finally, we have the evidence. We cannot work with English-speaking Canada. You said it."

So they passed resolutions that cut out association. They passed militant resolutions which, with his degree of moderation, Lévesque was not ready to accept and threatened to resign. Now we have had a total reversal, if the newspaper stories of the last few days are correct, and we are going to go back to square one.

However, it does underline this: We have in Quebec circumstances in which the cause is not necessarily lost. The Gallup poll indicates 46

per cent of the people in Quebec feel Lévesque should have entered into the agreement, perhaps with some amendments, but at least he should have sought those amendments and become part of the package so that all 11 governments would be involved.

Forty-six per cent; only 34 per cent of the people in Quebec were in favour of the position he took. Surely that is clear-cut evidence that the battle is not lost and that every conceivable effort should be made, not only within Quebec, but more particularly outside Quebec to correct the image that was left, perhaps inaccurately but it is now part of the reality, that Quebec was isolated that Wednesday night when we finally came out with a constitution. There is need for leadership.

In my final comments I come back to a theme I have been hitting at relentlessly over the last 10 years. Over the last 10 years, this province and this government under the leadership of this Premier has moved away from the traditional role of Ontario in federal-provincial relations.

As we all know, Ontario traditionally was the so-called leader of English-speaking Canada, the so-called arbiter between Quebec and English-speaking Canada, the so-called conciliator when there were serious cleavages and breaches between the federal government and the provinces. This government has moved away from that position.

In this whole constitutional reform process of the last two or three years, as I said earlier on another occasion, this government climbed into bed with the federal Liberals. They not only climbed into bed but they pulled the covers up over their heads. They were not critical of a package that obviously merited improvements and needed to be pursued in terms of improvements.

I want to be totally fair about this. I concede, and I do not think there is any doubt about it, when it got to the crunch on November 4, 5 and 6, the government got back to something of its traditional role of positive action. The government has to pursue that role, not lapse back into the passivity which has increasingly characterized its attitude and approach over the last 10 years.

I recognize in doing that it has to be different from what it was in days gone by. The painful thing, the painful reality, is that in days gone by if Ontario took a position it was usually accepted by western Canada. The painful reality today is that if Ontario takes a position, not only western Canada but fellow Tories in New Brunswick and

elsewhere are going to be lining up against you. So there has to be a new kind of sensitivity, in terms of recognizing the mental fix that has been created in the minds of other Canadians, because of the traditional dominance of Ontario in the federal-provincial situation.

However, the reality is this: Ontario is still, almost unbelievably, politically dominant. When you stop to realize that Ontario has as many seats in the House of Commons as the four western provinces put together, or that Ontario has two and half times as many seats in the House of Commons as the four Atlantic provinces put together, obviously Ontario must and will have an impact.

12:50 p.m.

Despite the fact that the economic growth and thrust in this country has moved out to western Canada, and that our manufacturing economy is languishing and we are having difficulties far greater than we have had at any earlier period in our history, in spite of all that, Ontario is still the industrial base of this nation. Ontario still has from 35 to 40 per cent of the gross national product.

That kind of power, that kind of a base could be used sensitively, profoundly sensitively, leaning over backwards not to arouse once again the kind of attitudes that have been created by Ontario's tendency to a fat cat image. I will borrow the phraseology of the editorials from Alberta to make my point bluntly, the fat cat image of the past.

If Ontario accepts its power and uses it wisely, it has a positive and creative role to play in federal-provincial relations, in terms of the west, and more particularly in reference to Quebec. As I said a moment ago, the battle is not lost in Quebec. I have a profound conviction, as a person who grew up in Quebec, whose family has lived in Quebec since my great-grandfather came out and carved a farm out of the bush south of Montreal, that province will stay part of Canada. We have a role in terms of making certain that happens.

I come back to something that mystifies me. It so totally mystifies me that I sometimes find I have difficulty speaking about it. That is the attitude of this government with regard to the old section 133. The Premier has to face the fact that no other single issue has reduced the credibility of Ontario in the minds of the people of Quebec more than his intransigent position on section 133.

Why I am mystified about it is that he is boasting all the time—the Attorney General

(Mr. McMurtry) did it two or three weeks ago—about the extent to which Ontario is extending these rights and these services in the courts. We know the right to speak the French language exists in this Legislature. When this government is conceding the reality and the substance, why is it so mindlessly stubborn and intransigent about conceding the principle?

If it is a matter of principle, it is unworthy of the government that it should stick to the position it is at. If it is a matter of politics or tactics, then it is unnecessary. If it is a matter of principle, this province and this Premier could have made a contribution far greater in the past, and can in the future, by restoring their credibility, by conceding what the Premier himself says is only a symbol. Is it a political danger? Is it such a paralysing political danger?

Let me just put this on the record. A poll was taken during the election, a Regenstreif poll. The Star survey found a narrow but clear majority of the people in Ontario in favour of guaranteeing language rights in the Canadian constitution for French-speaking Ontarians when they deal with the Ontario provincial government: 52 per cent were in favour, only 39 per cent were opposed.

It is interesting to note that, in the instance of the Conservative Party, only 42 per cent were opposed. In the instance of the Liberal Party, 32 per cent were opposed. In the instance of the New Democratic Party, 27 per cent were opposed. What is the Premier afraid of? If an acknowledgement of this right at a time when he is proudly boasting that he is providing the substance of the services, is going to assist immeasurably in restoring the credibility of Ontario in its relationship with Quebec, what is he afraid of?

I just do not understand it. I repeat, if it is a matter of principle, it is unworthy of the Premier that he should persist in that. Having said that, I am going to leave the matter rest there. I do not think I will ever come back to it again, because it is like beating one's head against a stone wall. It is mindless, his position, mindless.

It is a bit shameful because he has had parties at the federal level, the Liberal Party, his own Conservative Party headed by Joe Clark, the New Democratic Party; they have all said to Ontario, fellow Conservative premiers like Hatfield say: "Look, if I as a province in New Brunswick do it voluntarily, Manitoba had to do it because of a court decision, Quebec had to do

it because of a long-standing constitutional obligation. Why does not Ontario, with the largest group of francophones this side of Quebec, do it?"

However, the issue is not important in itself now; the issue is important because it is the one issue that can take a major step forward in re-establishing Ontario's credibility in the minds of the people of Quebec. We have a real role to play there. It requires just a measure of statesmanship. We have a real role to play there in future battles, in the minds and hearts of the people of Quebec. The future of this nation, as we understand it, depends upon winning that battle.

I would like to believe that the Premier, even at this eleventh hour, even after such repeated statements of his opposition on the issue, might be persuaded to see the light.

Mr. Chairman: The member for Niagara Falls has indicated he would like to speak next. We have three minutes left. Would he like to begin his remarks?

Mr. Kerrio: Yes. Thank you, Mr. Chairman. I was not going to participate until the Premier made the remarks about the auto industry. I thought it was very important that I get my feelings down about that particular matter that is of such importance to the people of Ontario.

I raised the question with the Minister of Industry and Tourism (Mr. Grossman). I want to make it abundantly clear it is a federal matter, so he can just leave that rhetoric aside when he answers my question. I appreciate that. The real question is, how much pressure is he, the top representative from Ontario, putting on the federal government as it relates to that tax which is doing such a disservice to workers in Ontario?

Just to recite a few figures to him, in three out of 16 years the auto pact has had a surplus to Canada of some \$450 million—I am just rounding these off because I do not have the list with me. In the other 13 years, there has been a deficit to Canada of some \$13,470 million.

That takes into account everything that happened in the automotive industry: cars, trucks, tires, and particularly parts. The totals, taking one from the other, leave the people of Canada, and more particularly the people in Ontario, with about a \$13 billion deficit. This does not take into account the amount of research that goes on, research paid for by the Canadian automotive industry to their American counterparts to do research on our behalf.

I think my question is a very valid one. How much longer should we in Ontario, where it has the most effect on our workers, put up with the inequities of the auto pact? Does the Premier not think, as the leader of this province, he should make that case to the federal people? They have done it in many other jurisdictions.

In fact, as the left-wingers over there will understand very clearly, the Russians bought a Fiat plant for some \$800 million which was built in Russia in 1973. In the next two years, they are going to turn out their eight millionth car. That means that total investment will cost about \$100 a car to produce a vehicle that is being shipped all over the world and making our auto industry suffer.

I am sure the Premier, coming from Brampton and representing a town that has American Motors Corporation, would like to see a greater and more equitable auto pact to put our people back to work.

Mr. Chairman: Does the member for Niagara Falls wish to continue his remarks?

Mr. Kerrio: Yes, I would.

On motion by Hon. Mr. Wells, the committee of supply reported progress.

ROYAL ASSENT

The Deputy Speaker: I beg to inform the House that, in the name of Her Majesty the Queen, the Honourable the Lieutenant Governor has been pleased to assent to certain bills in his chambers.

Clerk of the House: The following are the titles of the bills to which His Honour has assented:

Bill 7, An Act to revise and extend Protection of Human Rights in Ontario.

Bill 104, An Act to amend the Highway Traffic Act;

Bill 107, An Act to amend the Police Act;

Bill 136, An Act to amend the Milk Act;

Bill 162, An Act to amend the Ministry of Consumer and Commercial Relations Act;

Bill 163, An Act to amend the Personal Property Security Act;

Bill 166, An Act to revise the Motor Vehicle Fuel Tax Act;

Bill 171, An Act respecting certain International Bridges;

Bill 176, An Act to amend the Co-operative Corporations Act;

Bill Pr24, An Act respecting the Greater Niagara General Hospital;

Bill Pr26, An Act to revive Waltham Creative Printing Limited;

Bill Pr35, An Act respecting Victoria University;

Bill Pr38, An Act to incorporate Emmanuel Bible College;

Bill Pr41, An Act to revive the Atlas Hotel Company Limited;

Bill Pr42, An Act respecting the theological College of Canadian Reformed Churches.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, before moving the adjournment of the House, I want to indicate some of the business for next week.

On Monday afternoon and evening, we will be completing the estimates of the Premier and the Cabinet Office. When the estimates are completed, we will then move to Bill 151 for second reading in committee of the whole as required. We will follow that by concurrences on the Order Paper.

We will be doing concurrences on Monday evening, probably late Tuesday afternoon, Tuesday night, Wednesday afternoon and Thursday morning.

I will have a further business statement next week indicating when the remaining concurrences and legislation will be called.

I would also like to indicate that on Tuesday afternoon we will call Bill 191 for second reading in committee of the whole as required. That is the Municipality of Metropolitan Toronto Act dealing with the Toronto Islands.

The order in which we will be calling concurrences during the week at the times I just indicated will be as follows: Ministry of Education, Ministry of Colleges and Universities, Provincial Secretariat for Social Development, Ministry of Community and Social Services, Ministry of Culture and Recreation, Ministry of Natural Resources, Ministry of Municipal Affairs and Housing, Ministry of Agriculture and Food, Ministry of Health, Ministry of Treasury and Economics, Ministry of Industry and Tourism, Office of the Assembly, Office of the Ombudsman, Office of the Provincial Auditor, Ministry of Government Services, Ministry of Energy, Ministry of the Solicitor General, Ministry of the Attorney General, Provincial Secretariat for Justice, Ministry of Consumer and Commercial Relations, Ministry of the Environment, Ministry of Labour, Ministry of Correctional Services, Ministry of Transportation and Communications and the Provincial Secretariat for Resources Development.

Finally, may I indicate now that we will probably be doing private members' business next Thursday afternoon.

The House adjourned at 1:04 p.m.

APPENDIX

ANSWERS TO QUESTIONS
ON NOTICE PAPER*DIRECTORS OF EDUCATION AND
SCHOOL PRINCIPALS

255. Mr. Nixon: How many "directors of education" are there in Ontario? What is their average salary? What is the minimum and maximum salary? How many women are directors of education? How many secondary school principals are there in Ontario? How many are women? How many elementary school principals are there in Ontario? How many are women? (Tabled November 24, 1981.)

Hon. Miss Stephenson: The following is the answer to the above question:

There are 74 directors of education for boards of education (including the Metropolitan Toronto School Board) and 42 directors of education for county and combined district Roman Catholic separate school boards.

The salaries paid to directors of education are determined by the school boards which employ them. Because this decision is a local matter, we do not have records of the salaries actually paid.

Of the directors of education, two are women.

There are 574 principals in secondary schools in Ontario. Sixteen are women.

There are 3,712 principals in elementary schools in Ontario. Of these, 457 are women.

The above figures are for September 1980. Statistics for September 1981 have not yet been fully collated.

APPOINTMENT OF
OMER DESLAURIERS

262. Mr. Roy: Will the Minister of Intergovernmental Affairs inform the House re: the appointment on or about October 25, 1981, of Omer Deslauriers, former Conservative for Ottawa East, to reopen and be Ontario's perma-

nent representative in Brussels? How much will Mr. Deslauriers be paid in salary? Will he receive a special living allowance and, if so, how much? Will he have an entertainment allowance and, if so, how much? What is the maximum allowed expenditure under this item? Are there additional perks or special expenditures allowable for Ontario's delegate? Is there an estimated budget for the operation of that office for the next fiscal year? What is the budget? What is the estimated size of the staff for the operation of that office and what is the projected remuneration of the staff? (Tabled November 30, 1981.)

Hon. Mr. Wells: (1) Salary: \$52,200 per annum. (2) Special living allowances*: rent allowance, \$16,528; utility allowance, \$2,000. (3) Representation allowance*: \$2,600. (4) Maximum representation allowance*: \$3,200. (5) Special expenditure allowance*: foreign service premium, \$67,500; salary equalization adjustment, \$8,856. There are no other special payments or bonuses.

(6) The current estimated operational budget is \$387,000, with an anticipated 10 per cent increase in 1982-83, subject to both ministry and management board approval. (7) In addition to Mr. Deslauriers, there will be four staff including one Industry and Tourism officer. (8) Excluding Mr. Deslauriers and the Industry and Tourism officer, the estimated staff remuneration will be \$78,200.

*in accordance with Ontario foreign service rules as approved by Management Board.

*Answers that are lengthy or contained tabular material do not appear here. They are available through the Office of the Clerk of the House. Interim answers also are not printed here. The information they contained will be found in the Order Paper at the end of the question concerned.

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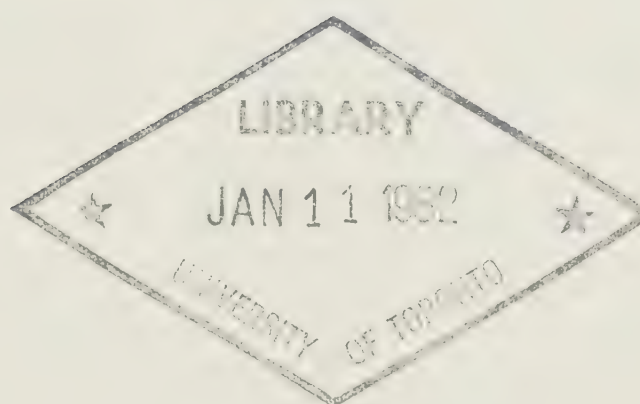


No. 128

Ontario LEGISLATIVE ASSEMBLY
1 2

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Monday, December 14, 1981

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Monday, December 14, 1981

The House met at 2:04 p.m.

Prayers.

SITUATION IN POLAND

Hon. Mr. Wells: Mr. Speaker, with the unanimous consent of the House, I wish to deviate from our normal proceedings so I can move a motion, which I hope will be unanimously supported by the House.

Hon. Mr. Wells moved, seconded by Mr. Smith and Mr. Cassidy:

That the Legislative Assembly of Ontario, recognizing that Canadians greatly deplore the serious situation in Poland today, the imposition of martial law, involving a large number of arrests, suspension of basic rights and freedoms, and the arrest of union leaders;

And recognizing that Canadians strongly support the principles of the Helsinki accords and the struggle of the Polish nation to secure these basic freedoms through their rights which have been won by workers of Poland in the last 16 months through their free trade union, Solidarity;

That, therefore, this House communicate through the government of Canada to the government of Poland, to the Catholic Church in Poland, and to the workers in Poland through Solidarity, our grave concern that there be no political or military intervention by the Soviet Union;

And that this House urge the government of Canada, and people everywhere, to do everything in their power, while respecting the principle of nonintervention, to support the solution of Poland's internal difficulties by means of the peaceful negotiation between the Polish government and the Polish people, and to support, as well, the creation of a new form of society that will meet the needs of the people and respect the rights of workers; and further to urge the government of Poland to release those trade union leaders who have been arrested.

Hon. Mr. Wells: Mr. Speaker, just a few words in regard to the motion: We all feel very seriously about the situation that has come to our attention that is now occurring in Poland. I wish to express, in very serious terms, the concern felt by the government of Ontario, and

I am sure the people of Ontario, and particularly those fine citizens of this province of Polish origin and descent, regarding the imposition of martial law and the events that have occurred in Poland this weekend.

We have all watched, during the past 18 months, the remarkable progress of the Polish people, led by the trades union movement, Solidarity, towards a more open and accessible government and order in that country. We have felt, and do feel, very close to the people of Poland in their continuing struggle to improve their economic condition and to resolve the many problems that they have. The development and growth of Solidarity has been stirring evidence of the efforts of the Polish people to refashion their own society.

The imposition of martial law, this last weekend, has added considerable tension to an already strained situation. Communication links with Poland have been severely reduced. We understand, however, that the small number of Canadians in Poland are safe and that the Canadian embassy is in contact with all of them.

We will all be watching the situation in Poland very closely. I want to tell the House, particularly as Minister of Intergovernmental Affairs and on behalf of this government as well as all the members of this House, that we are in regular and constant communication with the Department of External Affairs on this matter. The government of Ontario supports fully the position of the government of Canada that the events in Poland are the manifestation of an internal Polish problem and that the resolution must be left to the Polish people themselves. No external or foreign authority should interfere with the course of events that are occurring in that country.

I also want to say that this government is working closely with the federal authorities to welcome to Canada and to Ontario any Polish refugees who may wish to settle in this country.

We are conscious of the critical period we are approaching in the next few days. We hope that the people and the military government of Poland will find some common ground and work together to reduce the tensions and improve conditions in their country and their country's

economic condition generally. We pray that the resolution of these problems will come as soon as possible and that the government of Poland will be returned to the civil authorities as quickly as possible.

2:10 p.m.

These thoughts I have expressed on behalf of the government of this province have been put in a formal form in the motion that I have had the honour to move, seconded by the Leader of the Opposition (Mr. Smith) and the leader of the third party (Mr. Cassidy), and the passage of these thoughts and requests by this House will add to the moral suasion that I am sure is coming from all over the world and that will help to bring some resolution to what has become a very trying and difficult situation.

Mr. Smith: Mr. Speaker, I am certainly honoured to second the motion which has been presented by the government House leader and which I know will receive unanimous consent in this Legislature.

If I may, on behalf of my good friends the government House leader and the leader of the New Democratic Party, I wish to welcome—and I know you will want to welcome, Mr. Speaker, as all members will—Mr. George Burski, president of the Toronto branch of the Canadian Polish Congress, who is here watching the proceedings today, along with other leaders of the Polish-Canadian community. One of the members of this House, the member for Parkdale (Mr. Ruprecht), as part of an intraparlimentary group, had occasion to meet with the congress, and I know the congress is especially happy that this resolution has been presented to the House and will presumably be passed.

What we are viewing in Poland is probably the first outward manifestation of the fundamental weakness and ultimately the doomed nature of a system of government which simply does not work. It is not Solidarity that has caused the bread to disappear from the shelves of Polish supermarkets in a country that was once the breadbasket of Europe. It is the fact that the bread disappeared from the shelves which made Solidarity necessary. It is the failure of the system in taking what was once one of the most productive areas on the continent of Europe and turning it into a place where people can find literally not a crumb on the shelf in food stores. It is the bankruptcy of the system which has led to the events of the last 18 months.

The imposition of martial law and the arrest

of Solidarity leaders as well as other leaders within the country can only stave off, presumably for a short time, what is inevitable; that is, the demand of the people for a system that enables them to be more productive, to keep more of what they do produce and, in fact, to enjoy the freedom that people everywhere in their hearts wish to have.

To pick on Solidarity is surely a thinly disguised attempt by the Polish regime to prop up a failed regime and an unproductive system. In fact, freedom would do more to put food on the shelves in Polish supermarkets than any amount of martial law or any number of arrests of the leaders of a free trade union movement.

It is the height of irony, I suppose, and yet it is reality as we watch events in Poland, what little we can see on television because communication has been cut off, that we see the leaders of the free world saying that at least the tanks and the troops are not Russian, at least they are Polish troops. I guess that is better than having Russian troops, but it is not a whole lot better.

In fact, the rights and principles that were supposedly guaranteed under the Helsinki agreement are just as much destroyed when Polish troops march in the streets as when Russian troops march in the streets, although I would not for a moment suggest that it could not be worse were they foreign troops rather than domestic. It is rather a cold comfort to know that the troops are from one's own people. The fact is that this is a very delicate time in terms of the maintenance of world peace and nothing is to be gained by making inflammatory statements.

We must hope and pray that there will be a peaceful resolution to this matter and that the resolution will come from within Poland and will be achieved without bloodshed and with, one hopes, the release of those prisoners already taken. Nothing we can say here will hasten that solution, and we must be sure that we do not worsen the situation.

I simply want to sum up by saying all of us are aware that the events of Poland are not the fault of the labour union or of the people but are the signs of the failure and bankruptcy of a system. No matter how much repression and no matter how much martial law is imposed on the people of Poland, no matter how many leaders of the trade union movement are put in jail, that will not turn black into white or cause people to avert their eyes from the truth. The system has failed, and one can only hope that in a peaceful

way the people of Poland will be allowed to try a better system which will produce better results for all of them.

Mr. Cassidy: Mr. Speaker, I think members of the House will want to know that we also are honoured by the presence of Mr. Kaszuba, who is the national president of the Canadian Polish Congress and who came in a minute or two after the debate began.

I too stand in support of this resolution, which has been drafted jointly by all three parties and which I believe will be sent forward both to the Polish government, to Solidarity, to the Catholic Church and, I would hope, to the government of Canada.

One feels powerless here in Ontario when events are unfolding 4,000 miles away, when communications are so difficult in terms of knowing what is actually happening in Poland and when this comes as a climax after 16 months when we have watched Poland on the brink, developing, moving forward to where they knew not, but seeking to find the means by which freedom and basic rights could be achieved for the working people and for the citizens of Poland.

I think there is no question in anybody's mind who observes it objectively about the credibility, the legitimacy, the support which now attaches to the workers through their free trade union, through Solidarity in Poland, and the degree to which the Polish Communist Party is now stripped of any real credibility or any real support on behalf of the vast mass of people in that country.

Yesterday I was on Lakeshore Boulevard, in front of the Polish consulate, with some 2,000 to 3,000 people, mainly Polish citizens of Toronto but people from many other groups as well, who went down there in a peaceful protest; they sang national hymns and national anthems to show their feelings of support for the Polish workers and their feelings about the imposing of martial law in Poland and their hopes that this could be just a bad dream and could come to an end very quickly in order that the continued move of Poles into a new form of society that would reflect what is happening in that country could take place.

Last night I had the opportunity to meet with a number of people from the Polish community at the credit union on Roncesvalles Avenue—incidentally, the largest credit union of the Polish community anywhere in the world—where they expressed their concern, their anger and their heartbreak, and in many cases their

concern for their relatives who are trapped in Poland and do not know what the future is going to bring for them.

Yesterday the provincial council of the Ontario New Democratic Party was meeting here, just across the street from the Legislature, and I would like to read into the record the motion which was passed there and which I have now sent forward to Mr. Trudeau, to Mr. Broadbent, to the Polish embassy and to Solidarity.

It states as follows: "The provincial council of the Ontario New Democratic Party condemns, in the most severe terms possible, the harsh suppression by the Polish Communist Party against the Polish people and their free trade union federation, Solidarity. We in the Ontario New Democratic Party wish to convey our strong support to the efforts of the working people of Poland in their struggle for political and economic democracy."

Canadians of all parties and all persuasions, and no persuasion for that matter, share an overwhelming concern about what is happening in Poland today and about the escalation of that conflict with the imposition of martial law. All of us have watched with enormous concern the course of events in that troubled country. Apparently trapped within an authoritarian political and economic system, a system not only authoritarian but also proving itself bankrupt in terms of being able to literally deliver the goods and ensure such basic necessities as food and meat within the country as well as meeting Poland's external obligations, and confronted with daily shortages of the most basic necessities of life, the people of Poland commenced 16 months ago to organize for a better future for themselves and their children.

2:20 p.m.

None of us living here can fully understand the nature of the pressures under which the people of Poland live. None of us has to queue up from five o'clock in the morning to get milk for our babies or a bit of sausage to put on the table at suppertime. When we finish our time in the Legislature at 6 p.m., none of us has to stand in line for hours on end in the vain hope that we might be able to get some soap to wash with or some detergent to wash our clothes. Those are the kinds of things that have happened with the breakdown of the normal systems one would expect in an industrial country.

I suspect none of us can fully appreciate the perseverance and the sheer guts it takes not only to endure those kinds of daily obstacles but also to live under a repressive and authoritarian

system and to oppose a system as tightly controlled as that of the Communist states of eastern Europe.

I met a student last night who had an anti-government button on his lapel. A year and a half ago, people in Poland began to wear those buttons on the street. They were obviously critical of the government. Some of those people were beaten up by thugs and bullies. It was the first time that kind of free expression of opinion had been tried. Until this weekend, that was the mood in Poland. People were finding the courage and confidence to say they wanted a better way. The workers of Poland have done that and have been stalwart in the face of threats and persecution.

We sometimes think it is difficult to lie down in bed with an elephant, being close to the United States of America. How difficult it must be for Poland, a country that again and again has been overrun by its neighbours to the east and west. For most of its history, Poland has not been able to have independence but has been subjugated either by the Germans to the west or the Russians to the east. It now faces the might of the Soviet Union, a country that, like Poland, is governed by frightened men, by people whose authoritarian system is breaking down and who do not know what solutions there are to maintain their grip on power.

Today the power of what the Polish people confront has been escalated through the use of the army. That has never happened in the Polish system, because the coup d'état that has taken place has extended to the arrest not only of many of the leaders of Solidarity but also of many former members of the government in Poland. In fact, the Communist Party has been pre-empted in a coup d'état by the military, apparently in an attempt to maintain some alternative centre of power to what was emerging as the only legitimate centre of power, the workers through Solidarity.

Freedom is a mighty word, a mighty and powerful concept, and that is what has happened in Poland in the course of the last 16 months. Not all the Soviet tanks and missiles, not all the power of a dictatorial Communist system, nor all the abuses of socialism that have taken place in that country and the eastern bloc were enough to repress that thin, small voice that has been getting louder, clearer and more powerful day after day and month after month in Poland. The people say they want a better way, a different way. They want the basic human rights of the Helsinki accord respected

and the basic rights that should attach in a workers' state of free trade unions and the representation of free trade unions in the union they had freely chosen, Solidarity.

In our party we have often stood to defend the rights of Canadian workers to organize. At places like Fleck and Irwin Toy, Canadians have been faced with conditions that made it difficult for them to gain their rights. But we multiply the fears of the workers in these situations a hundredfold when we think about the situation in Poland. There is no place in this country where it is even threatened that if one does not go to work, one might be shot. That is the situation that prevails in Poland with martial law, and yet hundreds of thousands of Polish workers have chosen not to go to work today. I am not sure whether they are on strike, but the fact is that a repressive, militaristic regime is not going to prevail in Poland, because Polish workers will simply stay home. They may not call it a strike, they may be sick, I do not know what it is, but they will not bring that country around if it is tried by military means.

This is trade unionism at its finest. I happen to wish sometimes there were as many people in this country who would support the right of workers to organize in Canada as sometimes seem to support the right of workers to organize in Poland. That is a separate kind of debate.

As Canadians, I know we are powerless to intervene directly in the affairs of Poland, nor would I suggest that we should. However, as Canadians, as a people committed, unlike most of the world, to freedom for our citizens and people of the world and to the protection of human rights, we must stand and we must be heard.

The resolution proposed today seeks to bring together all the people in this Legislature and all the parties represented here in calling for restraint in Poland and for the restoration of basic and fundamental human rights. That is the least we can do. However much we squabble and disagree among ourselves, we are united in this province in believing in fundamental human rights, even in fundamental economic rights.

On behalf of the many Canadians of Polish descent and on behalf of their families still resident in Poland, we must make it clear that we support the drive of the people in Poland for their rights and freedom. We must make it clear as well that as we respect the right of ordinary people to make their own world, so we respect the right of the Polish people to do the same. We call on their government to create conditions which will make that possible in Poland.

I fear that Poland may now stand on the precipice that Hungary and Czechoslovakia were at 10 and 20 years ago. The destruction of human life, hopes and wishes of millions cannot be allowed again to be crushed through military might.

Let us face it. It is not even just in Poland. If repression continues in Poland, it will mean a wave of repression that will go right through the eastern bloc, including the Soviet Union itself. If repression goes through the eastern bloc, I fear it may infect us here in the west as well, and we will be tempted into buying more missiles, more nuclear arms and all of the other weapons of war when we should be looking for weapons of peace instead.

Let us unanimously make it clear to the rulers of Poland and to those of the Soviet Union that the Polish people must be able to solve their problems themselves without outside interference and without the intervention of external military forces. It is the least we can do.

On behalf of the New Democratic Party, I want to voice our support, as well as the support of all of the people of Ontario—

Mr. T. P. Reid: What about the Ontario Federation of Labour?

Mr. Cassidy: —and the Ontario Federation of Labour, as well—for the people of Poland and for the workers of Poland in their struggle for basic freedoms and a free trade union.

[Translation from Polish].

We wish the Polish people well in their struggle for basic human rights. Long live Solidarity!

[End of translation].

Mr. Ruprecht: Mr. Speaker, I am very happy to see Mr. Kaszuba and Mr. Burski here to hear the unanimous resolution which has been proposed. On behalf of the Canadian Polish Congress, I invite each of the members here today to the demonstration that is to take place on Wednesday in front of city hall at 7:30 p.m. I think in a united way we can express our support to the working people in Poland.

I just want to make one more point. In my area of Parkdale, I hear people refer continually to the threat and danger of Soviet intervention. I hope as well that all of us can speak our concerns in a loud and clear voice, not only in terms of the interference that Poland has seen during this crisis in the last year but also in terms of the interference Poland has experienced in the last 35 to 40 years from the Soviet Union. I think, therefore, that when many of us go to the

city hall demonstration, we can express loudly and clearly that we abhor any attempt of interference by the Soviet Union in the internal affairs of Poland.

2:30 p.m.

Mr. Mackenzie: Mr. Speaker, I am pleased to rise with my leader, on behalf of my colleagues, and indicate our solid support for the resolution that is before the House.

I think there are some serious lessons for all of us in the Polish situation today. First is the fact that the Communist system, as practised in most of the Communist world, simply does not work. There is not a collective effort on the part of the people which guarantees individual worth as part of the collective effort. In fact, a dogmatic party dictatorship backed by force guarantees a split-class system: the leaders and party activists live well; the workers sweat to provide that good life.

The Polish people, with great courage and determination, have laboriously built one of the first alternatives to the Communist government. They have done so—and I think this is significant—by building a union movement covering every facet of life in Poland today. It is significant that it was a workers' movement to which the Polish people turned in a desperate effort to respond to the needs of their people, not only for basic food and medical needs in the country but also in terms of the rights, hopes and aspirations of the individuals in that nation. It is also significant that the power of the state, both in its verbal attacks and in the use of military might, is directed against Solidarity, the workers' organization.

We have an obligation to do whatever we can to assist the Polish people to preserve the rather fragile measure of democracy they have breathed into their system over the past two or three years. We would do well to recognize that, as the old saying goes, "The price of freedom is eternal vigilance." We in Canada should not lose sight of the rights of workers and the need for a system that uses our collective resources to enhance and ensure individual worth and not destroy it, as we see the potential in Poland today.

Mr. Shymko: Mr. Speaker, I wish to join in support of this resolution moved by the member for Scarborough North and seconded by the member for Hamilton West and the member for Ottawa Centre.

I simply want to refer to a declaration that was circulated yesterday at three o'clock during

the mass demonstration of approximately 3,000 people in front of the Polish consul's office. It voiced the concern of the Canadian Polish community as follows:

"We, the Polish Canadians living in Toronto, protest against the declaration of a state of war in Poland and an arrest of Solidarity leaders.

"State of emergency equals civil war equals bloodshed.

"The declaration of the state of emergency is an attempt by the Communist government to revoke freedoms gained by the Solidarity and the Polish nation."

They have stated the following as demands: "one, to revoke the state of war, two, to release the Solidarity leaders," and "three, to proclaim free and democratic elections.

"The Communist government of Poland since August 1980 has failed to live up to its commitments signed by its representatives (the Gdansk agreement); created a crisis situation and exacerbated social problems; tried to atomize the Polish nation and destroy the Solidarity movement; staged a propaganda campaign of slander, misinformation and lies against the Solidarity; constantly schemed to create an emergency situation in order to re-establish its totalitarian regime."

The Canadian Polish Congress in its public request to the governments and the citizens of Canada has said the following:

"The democratic and progressive movement of Solidarity to bring renewal and improvement in the economy of Poland and the lot of the Polish workers has been frustrated. Events of the past 16 months have underlined the abject bankruptcy of the 36 years of Communist rule and economic mismanagement in Poland.

"Today's events can only arouse the deepest feelings of all Canadians. We appeal to all our fellow citizens to express their concern and outrage. We are confident that the Canadian labour movement will support and join hands with the aspirations of their worker brothers in Poland.

"We demand that the Canadian government assert its stand for the return of freedom, respect for human rights and self-determination for the Polish nation. In the words of His Holiness Pope John Paul II, 'We pray that no innocent Polish blood be shed again.'"

In conclusion, I would like to say that article 33 of the Polish constitution, subsections one and two, which have been quoted as the reasons for the declaration of the state of war, really do not justify such a declaration. The two princi-

ples that are, in fact, in question are democracy and the right of the Polish nation to decide its own fate. So I support this resolution and I hope the Canadian government will move quickly in detailing and firmly expressing the concern of this Legislature and the concern of all Canadians.

Mr. Breithaupt: Mr. Speaker, I am pleased to rise in support of this resolution, and to see in the gallery both Mr. Burski and Mr. Kaszuba, with whom I have dealt on a number of occasions over these last several years. Since 1880 there has been a strong Polish community within the Kitchener-Waterloo area, its original members having fled from the tyranny of Russian control in those early years and its later members having come to Canada after 1945, many of whom had served with the Free Polish forces. They brought their families to our community and grew in the community we now have.

These are persons who have a strong pride in the future of Canada, who have a strong commitment to their Roman Catholic religion and, of course, in everything they do they have a great belief in the future and freedom of Poland. The traditions they have brought to our community have been of great consequence, not only to me as a member of the Legislature and my colleagues, who have enjoyed their hospitality on many occasions, but also they have reminded us from time to time of their concerns as to what is going on in Poland today.

I have been greatly honoured over the years by the community and indeed last September, in discussions I had with Mr. Sabbat, the Prime Minister of the Polish government in exile, he was very precise in ensuring that we would all understand the commitment free Polish people have, not only through the London government in exile but across the rest of the world, to supporting the resolution of problems within Poland by the people who are there.

It is not a matter of interference that any of us stands to speak in the Legislature or supports this resolution. We are here to remind ourselves and those Communist governments in eastern Europe that there is a sense of propriety and importance as to how matters are handled and as to how freedom may come some day to Poland.

Certainly the thoughts and prayers of many of our people in Ontario are strongly in support of the hope and faith that may develop for a government in Poland that will more particularly represent not only the nine million mem-

bers of Solidarity but the Polish people as a whole. It is a difficult and very narrow path to tread. We are all aware of the fact of Russian garrisons on Polish soil and the recognition that the front line for the Russian empire is now in East Germany and must be protected, from their point of view, through the lines of communication that flow through Poland.

It is my view that the Polish government eventually will come to the realization that the armed forces and the church and, indeed, the members of Solidarity, all stand together as they look to the future of their own nation and that they see that future in a nation striving to be free. The tradition of *Polonia restituta*, the reformation of the Polish government in 1918 and the loss of that government in 1939 are things most Polish people will never forget. Of course, many citizens of Canada who have roots and remembrances in Poland also strive for that belief that some day Poland will be free and some day it will stand as an independent nation with its traditions and with its future secure by its own actions.

We can only hope and act to that end. We, of course, cannot interfere but we must stand and be counted as we look forward for the future, which I believe will truly be the future of Poland, a future of peace and prosperity, a future that we can all rejoice in.

2:40 p.m.

Mr. Newman: Mr. Speaker, I hope I will not be repetitive at all. As the first member of Polish extraction to have been elected to the Legislature of Ontario back a few years ago, I heartily endorse the resolution introduced by the government House leader, the comments of my own leader and some of the comments made by the leader of the third party. elected to the Legislature of Ontario back a few years ago, I heartily endorse the resolution introduced by the government House leader, the comments of my own leader and some of the comments made by the leader of the third party.

I had the opportunity to visit Poland in June of this year as a Canadian delegate and representative to the funeral of Cardinal Wyszyński. At that time we had the opportunity to talk with government leaders. They indicated to us then that the next six months were going to be extremely crucial. They happened to speaking the truth. They knew the future was not too bright for them. All of us in this House hope the problem in Poland can be resolved peacefully because, in the interest of mankind, Russia should keep its hands off Poland.

Mr. Van Horne: Mr. Speaker, I want to add some words of support to this motion, and also a word of practicality to the debate we have here this afternoon.

We have heard more than one speaker make reference to Poland's situation being somewhat comparable to that of Hungary not too many years ago. Mention could also have been made of Vietnam and El Salvador. Whatever the internal problems these countries faced and are facing, the only solution for some of the people living within those boundaries was to escape.

In the past, Canada has accepted refugees from these countries and has helped them rebuild their lives and become a part of us. While I sincerely hope Poland's problems can be resolved, I would ask this government to show its sincerity by waiving the three-month residency requirement for the Ontario health insurance plan coverage for those people who are able to leave Poland and join us here in Ontario.

Ms. Copps: Mr. Speaker, I would like to invite the members of this Legislature to offer a little more than moral support.

I would point out that Mr. Chrzanowski of Solidarity was in Hamilton a couple of weeks ago. He indicated they had a very serious need for medical supplies. If the members are interested in writing out cheques to the Canadian Polish Congress I am sure they would be very happy to accept them.

Motion agreed to.

HIGHWAY TRAFFIC SAFETY

Mr. T. P. Reid: Mr. Speaker, I rise on a point of privilege. In the *Globe and Mail* of Saturday, December 12, 1981, there was an article entitled, "Liberals irresponsible on almost-drunk drivers, McMurtry says."

The statement that offends me, and I believe it reflects on all of us in the House, is that the Solicitor General is quoted as saying that "their obstruction 'means that lives are going to be unnecessarily lost.'"

This is, of course, in regard to Bill 178, An Act to amend the Highway Traffic Act.

I find it very offensive that the chief law officer of the crown, who is the Solicitor General as well, should make comments in the House as he has, and particularly to the press. I understand offensive remarks of the same ilk were also made on television in regard to Bill 178. In fact, what he is doing is accusing the Liberal opposition in the House of causing deaths on the highways because of our opposition to this bill.

I would point out to you, sir, that the Solicitor General, in his great concern, waited until November 27, 1981, to introduce this bill into the Legislature despite the fact that he has had a select committee report from 1977 and despite the fact that the court case of Regina versus Dedman was brought down on May 19, 1981. I find it passing strange that the chief law officer—who presumably should be more concerned or at least as concerned as other members about the democratic process in this Legislature—should take this view and, in fact, impute motives and impute deaths on the highways to this party.

You, sir, were a member of this House when the then member for High Park-Swansea, Mr. Ziemba, accused the government of causing carnage on the highways because it accepted donations from the liquor industry and its liquor policy was a direct result of that. I thought when the then member, who subsequently withdrew that comment, was defeated that the Ziemba syndrome hopefully had passed from this House.

I can say, as an individual who spoke strongly against the passage of this bill, not against the obvious principle of doing away with people who might be a disaster or dangerous to other people on the highway, we are concerned about the proper recourse and the proper passage of legislation in this House. We have suggested that if the Attorney General and Solicitor General feels these people are a hazard he should go to the federal government and make it an offence under the Criminal Code, that policemen not be put in the position of being judge and jury and that we follow the due process of law upon which the traditions of this democratic society and others are based.

I ask in view of that, in view of the fact we are fulfilling our legitimate role in this Legislature, that we are putting up suggestions and alternatives to the Solicitor General, that his comments are inimical to the democratic process here and in Canada, that he withdraw those remarks, and I believe he owes us a public apology.

Interjections.

Mr. Speaker: Order. I listened to the point, and I allowed you to make it. You are referring to an article which I have no knowledge of. I will take a look at it.

Mr. T. P. Reid: Mr. Speaker, may I speak further to the point of order?

Mr. Speaker: I think you have made your point and made it very clearly.

Mr. T. P. Reid: My point, Mr. Speaker, is that you are at some point going to have to deal with these matters of privilege. You cannot allow them to go on.

Mr. Speaker: It is not a matter—well, I am not going to—I will take it under consideration.

Mr. T. P. Reid: You did not deal with the Minister of Culture and Recreation (Mr. Baetz) and you are now not going to deal with the Solicitor General.

Mr. Speaker: Order. With all respect, I have dealt with that matter. I made a ruling and I made it in this House.

Mr. T. P. Reid: That is not a ruling. My friend, if you are going to allow this kind of thing to happen this place is going to degenerate even further and it is going to be on your head.

Interjections.

Mr. Speaker: Order. The microphones in the second row are not on. The member for Windsor-Walkerville may, however, wish to continue.

TRIBUTES TO ARTHUR REAUME

Mr. Newman: Mr. Speaker, I wanted to bring to the attention of this House the passing away of a former member of this Legislature. Yesterday, December 13, Arthur Reaume passed away in the Toronto East General Hospital after a short illness.

As many members of this Legislature will recall, he was the provincial member for Essex North for about 16 years, having been first elected in the provincial election of 1951. Art Reaume was born on November 30, 1906, in the town of Sandwich, where he received his early education prior to moving to St. Jerome's College in Kitchener and Assumption College in Windsor.

2:50 p.m.

On January 14, 1929, he married Jane Chappus of La Salle. They had one daughter, Joan Elaine, who is now Mrs. Joseph Crowley. In 1930, at the age of 24, Art Reaume was elected alderman in the town of Sandwich. One year later, he became reeve; two years later, at the age of 26, he became the boy mayor of Sandwich, a position which he retained until 1935 when Sandwich was incorporated into the city of Windsor. By 1936, he was controller of the city of Windsor, and in 1941, still a comparatively young man of 35, he was elected mayor of the city, retaining that post until 1954.

As the successful candidate in the 1951

provincial election, and while still mayor of the city of Windsor, he became the Liberal member for Essex North, an electoral victory which he repeated in 1955, 1959 and 1963. In all, Arthur Reaume was in public service for a total of 37 years, from 1930 until 1967.

His dedication to the best interests of the people of Sandwich, of Windsor and of Ontario, was much admired by those who knew him, whatever their political affiliation. For my part, I was proud to know him as a colleague, as a very close friend, and as a dynamic and colourful, as well as sometimes controversial, member of this Legislature.

I would ask the members of this Legislature to join with me in extending most sincere sympathy to his widow Jane and his daughter, Joan Crowley, and her family.

Mr. MacDonald: Mr. Speaker, as one of that dwindling number of members in this House who sat here when Art Reaume was here, I would like to join with the honourable member who has just taken his seat in paying tribute to Art and his career of public service. We have had many colourful people in this Legislature throughout its history, but none more colourful than Art Reaume.

I well remember many an occasion, but one particular afternoon while he was away for a dental appointment the Premier of the province called his private member's bill and when Art got back it was off the Order Paper. If you wanted to see a scene created, Mr. Speaker, you should have been here to view what happened on that occasion.

Art was a friendly, warm, outgoing person, as the honourable member has just indicated. One disagreed with him fairly frequently, but never were there any grudges that lasted, and I would like to pay tribute to his memory and to express our condolences to his family.

Hon. Mr. Drea: Mr. Speaker, I rise to join with the members for Windsor-Walkerville and York South in conveying the sympathy and respect of the government to the Crowley family, who are resident in my riding.

While I do not go as far back as the honourable member for York South or the honourable member for Windsor-Walkerville, none the less I did have, in my previous occupation, many opportunities to not only observe but to enjoy the parliamentary performances of Art Reaume. Perhaps the member for York South has touched upon the very core of Mr. Reaume's character. He was not only warm but engaging and, furthermore, very

determined to do everything humanly possible, and indeed sometimes more, for not only the residents of his riding but indeed anybody within the county of Essex boundaries.

He was an eloquent representative, not only in this Legislature but indeed in his very long and his very varied municipal career. At the municipal level, he was mayor of Windsor at a very significant, a very controversial and a very turbulent time. Indeed, the very force of his own character was of singular impact in the area in those days.

On behalf of the government, I wish to join, and I would hope that every member of the House would join, in conveying two things to the family—number one, just how much his memory is respected in this parliament as well as in many other areas of the province, and two, our very sincere sympathy on his passing.

Mr. Speaker: Thank you very much. I am sure all members of the Legislature join in extending their sympathy to the Reaume family.

I have just been advised that the second-row microphones of both the Liberal Party and the New Democratic Party are not functioning and—

[Applause].

Mr. Speaker: Order, order, order. Just let me complete this. The microphones in the first row will be used for the people in the second row.

Mr. Cassidy: Mr. Speaker, knowing your desire to ensure equal and unbiased treatment, will you turn off the second-row microphones of the Tories as well?

Mr. Speaker: I do not have control over the operation of the microphones, contrary to popular opinion.

ORAL QUESTIONS

Mr. Speaker: The member for London Centre.

[Applause].

Mr. Peterson: Everyone sees great prospects, Mr. Speaker.

MENTAL HEALTH PATIENTS

Mr. Peterson: Would the Speaker be so kind as to summon the Minister of Revenue. He is out there somewhere. I would like to discuss a matter with him. Here he comes. Before he takes his seat, perhaps I can ask a question of the Provincial Secretary for Social Development while she is here and is so forthcoming and so responsive to my questions, for which I am grateful.

As a matter of policy, 18 years ago her government decided to deinstitutionalize mental hospitals and integrate those patients in the community. Two and a half years ago, she closed Lakeshore Psychiatric Hospital. She has yet to implement the programs and support services to make deinstitutionalization work.

On December 10, the minister, when responding to a colleague of mine in the House, said in a cry out for support services: "What would you have us do? Act without any plan?" My question is why has her government no plan for housing ex-psychiatric patients when discharged from hospitals?

Hon. Mrs. Birch: Mr. Speaker, our government does have a plan for housing not only ex-psychiatric patients who are discharged from institutions but others who are discharged from institutions.

Unfortunately, we need the help of many communities across this province, which has not always been forthcoming. Perhaps I might suggest to the honourable members that instead of criticizing, they could perhaps join with us and encourage their own municipalities to provide for the needs of those who have been deinstitutionalized.

3 p.m.

Mr. Peterson: That is totally a nonresponse to a very important question that is crying out all across this province on this issue. The minister's only response to date that we are aware of is 60 beds in Whitby and 40 in an Ajax retirement home, which is not deinstitutionalization, but in fact is a policy called transinstitutionalization, moving patients from a large institution and warehousing them in a smaller institution.

The reality is and I would ask the minister this question, why does the government continue to spend 25 times more money on psychiatric hospital services as it does on community based programs, which is the direction we should be taking, and why has it not and why will it not develop alternative housing?

Hon. Mrs. Birch: I do not need the member for London Centre to indicate to me what we should be doing. We have been trying to do that, but it takes a little co-operation on the part of the municipalities involved. For over two years we have been trying to promote the acceptance of group homes across this province to provide for this very need. I have not noticed too much help from the members opposite—none as a matter of fact.

Mr. McClellan: Mr. Speaker, I wonder if the minister has been following the course of the negotiations between the Ministry of Health and the Supportive Housing Coalition here in Metropolitan Toronto. Is the minister aware that the coalition put forward a proposal to open up 270 beds for ex-psychiatric patients? It is one of the most creative proposals that has been presented to government in this area for the last three or four years. Can she explain why the Ministry of Health so far is refusing to pick up on this proposal and get some of these essential beds for ex-psychiatric patients in place?

Hon. Mrs. Birch: Mr. Speaker, it is my understanding that the Ministry of Health is considering those proposals that have been put forward by the Supportive Housing Coalition.

Mr. Peterson: It is my understanding that they have turned down that proposal from the Supportive Housing Coalition, even though it would only cost about \$7 more per day per patient, a mere pittance at \$34,000 in total. Why would they not move immediately on that imaginative proposal and at least take some of the pressure of this terrible problem we are facing in this province at this time?

Hon. Mrs. Birch: As I have already indicated, it is my understanding that the Ministry of Health is considering the proposals that were put forward by the coalition.

MUNICIPAL ASSESSMENTS

Mr. Peterson: Mr. Speaker, I would like to ask a question to the anti-Santa Claus here, the Minister of Revenue, over a very serious matter going on in the city of Toronto at the present time.

Mr. Nixon: Anti-Santa Claus?

Mr. Peterson: He is sending out anti-Christmas cards. I just want to give him some examples that he may not know about in his own ministry. At 411 Dupont Street, the assessment was increased from \$4,219 to \$8,950, a 112 per cent increase. The assessor did not enter; it was based only on a sand-blasted exterior. Subsequently, after complaint, it was rolled back to \$4,719.

At 123 Cottingham Street, the assessment was increased from \$4,625 to \$9,800, 112 per cent, and rolled back to \$6,500 when the owner protested. At 273 Brunswick Avenue, the assessment was increased from \$3,400 to \$6,800, a 100 per cent increase, and then rolled back when Mr. Plenty protested no renovations had been

done in 25 years. At 405 Dupont Street, there was an increased assessment from \$4,195 to \$8,950, a 113 per cent increase, and as far as we know the assessor never entered that home. At 804 Euclid Street, the assessment was increased from \$3,500 to \$6,100, a 74 per cent increase in assessment.

How can the minister possibly send out this lump of coal at Christmas time?

Hon. Mr. Ashe: Mr. Speaker, of course the time of the year, being Christmas, is not a factor at all. This is the normal time of year—

Mr. Kerrio: That's what Scrooge said.

Mr. J. A. Reed: Humbug.

Mr. Speaker: Order.

Hon. Mr. Ashe: Thank you Mr. Speaker. This is the time of the year when assessment notices go out right across the province of Ontario. There is a delay in section 86 municipalities, and of course those municipalities are already aware of that, for approximately a month to six weeks, but other than that all the notices are out.

That is the whole basis of the open house program. As I indicated earlier this year and during my estimates, the program has expanded greatly this year so there will be access for taxpayers to come in and discuss things with their assessors. If a case can be made the rolls can be amended without going to the assessment review court. That process is there. Accessibility to the open house program was part of the saving the change in the enumeration procedure this year was put to. Again, that was identified and highlighted when the bill was brought forward a few weeks ago.

As far as access to properties is concerned, there is no doubt there are tens of thousands of residences throughout the province, not only in Metropolitan Toronto, that are going to be at a higher assessment this year. We are responding once again to the act we administer and to the municipal advisory committee on assessment data supply and services, which has asked us regularly, and as late as in a meeting held on February 26 of this year, to add on to the assessment roll changes in values that have increased the market value of a property by \$2,500 or higher. That is exactly what we are doing.

In some cases there has not been a physical internal inspection of the buildings this year. In some cases it could have been several years ago when that happened. It has been noted in the assessor's file and it has just been caught up with this year, so many people have had a partial tax

holiday for many years. Similarly, there are some residences to which the assessor has not been able to gain admittance after numerous attempts. In those cases, a notice with a phone number is left asking the home owner to call and make an appointment with the assessor. If that is not responded to the assessor makes an arbitrary decision vis-à-vis an external look at the building as to values in that neighbourhood and adjusts accordingly. I acknowledge that is not the best way. In so doing they are going to make mistakes in some cases. I have to stress that is why the open houses are there, to try to overcome some of these problems that in many cases have been created by the taxpayers themselves.

Mr. Peterson: Supplementary, Mr. Speaker: Clearly the issue at hand is the sloppiness of the minister's assessment procedures. Assessors are not making a conscientious reinspection of these various properties. I understand they are inspecting them from a slowly cruising vehicle, presumably with a chauffeur at the wheel. No one is walking in to make a thorough inventory of what has happened. Now a number of home owners are facing enormous increases without a fair phasing-in period over several years. Given the incompetence he has demonstrated in other areas of his ministry, why does the minister not take it upon himself to cancel these outrageous assessments until fair and justifiable assessments take place?

Hon. Mr. Ashe: Mr. Speaker, it is amazing how the word changes across there. If we look through Hansard over the past number of years we will see year after year those same honourable members opposite, including the one we have just heard from, suggested the rolls should be more accurate. They said we should be maintaining the equity of the tax system and we should be getting assessment onto the tax rolls for the benefit of the municipalities.

That is exactly what we are doing. Sometimes we cannot wait for municipalities to continue to postpone the day of decision. We are adding on what has happened on the way. In most instances, changes, most of them substantive, have been made to the properties over the years but have never been added to the roll. That is the important point I want to make. These changes were not necessarily made in the past year or two. If people will not allow access to their property, then in some cases they will possibly have an incorrect assessment. If they will not respond to the notices being left at the door when an assessor has called—and he does not

call just once, he makes numerous attempts at contact—then in some cases there will be inaccuracies.

How can anyone in this Legislature figure that a property worth \$91,000 cash should get away with \$181.77 property taxes in downtown Toronto? Obviously that person was naive if he thought that tax bill was fair and equitable to the neighbours around him. That is the kind of situation we are talking about.

3:10 p.m.

Mr. Renwick: Mr. Speaker, my supplementary is not directed towards someone who is trying to evade the assessors coming around or to someone in an extreme situation. I am talking about Frizzell Avenue in the riding of Riverdale where the people are always home. When the assessor does not even come to the house what authority is the minister using to make an arbitrary assessment of those homes without any contact whatsoever by his ministry with the people concerned or any justification? What is the specific authority under the Assessment Act that permits this kind of arbitrary action on his part?

Hon. Mr. Ashe: Mr. Speaker, I have to reiterate what I already said. It is not an arbitrary action. It is based on the expertise of the assessor. I suggest the honourable member should speak to the member who is my critic in his party, who has had some personal experience in that regard in the past. I think he would probably get the answer.

In many cases—and I want to stress that as I did before—these internal inspections of property have been done over the years, not necessarily in the last couple of years. The driving by, if you will, is in some cases just to verify that the building is physically still there. The internal inspection has been done in the past. In many cases, these changes to the property were done many years ago or cumulatively over a number of years. That is the basis of it.

It is up to the assessor to be able to bring forth the assessment, which he has the power to do under the act. It is then up to him, first, to discuss it with ratepayers if they request it, and second, to be able to defend it in the assessment review court if ratepayers still feel there is some inequity in their assessments vis-à-vis the community in which they live.

Mr. Peterson: Final supplementary, Mr. Speaker: Why is the minister allowing sloppy and lazy assessment procedures in selected neighbour-

hoods on selected taxpayers only? Is this his attempt to sneak in market value assessment? Is that what he just told us here in the House?

Hon. Mr. Ashe: That is not what I said at all, Mr. Speaker. It has nothing to do with market value assessment. It is something that is in the act now and has been in the act right along, which obliges the assessor to add to the value of the assessment when market value has been increased by \$2,500 or more. That does not relate to the value change in the assessment. It is then prorated to whatever the assessed value is of that property in the community. In many cases in Toronto, for example, it runs at about seven per cent. That change would equate to seven per cent. If, for example, there was an increase in market value by renovations of \$10,000, that would equate, again on the norm, to about \$700 on the assessment.

ASSISTANCE TO HOME OWNERS

Mr. Cassidy: Mr. Speaker, I have a new question for the Deputy Premier in the absence of the Premier (Mr. Davis) and of the Treasurer (Mr. F. S. Miller). My question is about the Saskatchewan government plan that will now impose a moratorium on renewals and foreclosures of mortgages in 1982 and give people who cannot afford the increase in interest rates a fair break in terms of getting a decent interest rate they can afford during the course of 1982.

Now that the Conservatives in Saskatchewan not only endorse that plan but co-operated with the NDP government in order to give it speedy passage, will the Deputy Premier undertake to ensure the Conservatives of Ontario are as far-seeing as the Conservatives in Saskatchewan? Will the government bring a similar plan to put a moratorium on foreclosures by banks and financial institutions here in Ontario?

Hon. Mr. Welch: Mr. Speaker, I would be very pleased to draw the Treasurer's attention to that question and invite him to comment on it on his return.

Mr. Cassidy: Supplementary, Mr. Speaker: I am speaking to the minister as the Deputy Premier, as the man who in the absence of the Premier bestrides the whole government, and who should be able to give us a commitment about something as important as this.

Is the Deputy Premier aware that last Friday 250 farmers occupied a bank in Port Elgin with the assistance of automobile workers who happened to be in Port Elgin at the time? By that

direct action they were able to reverse a foreclosure in which a farm, livestock and equipment had been taken over by the bank.

Is the Deputy Premier saying the only way for people to get action against foreclosures is for them to take direct action, while this government waits for something to be done by the federal government? Or is this government prepared to take action on behalf of everybody menaced by foreclosures in the province?

Hon. Mr. Welch: There was some reference to the Port Elgin experience. My answer to that is yes, I do recall reading that. I do recall the bank in question changed its position. I do seem to recall as well that in the House on Wednesday or Thursday afternoon a somewhat similar question was put to the Treasurer. It was not with respect to those two incidents but the general question of mortgages and the impact that foreclosure was having on people.

I repeat that the Treasurer has responded to this type of question from time to time and I think it would be wise to give him the opportunity to respond to this specific question on his return. He is involved today in very important meetings with the federal Minister of Finance which ultimately will affect the province.

Mr. Peterson: Supplementary, Mr. Speaker: The high interest rates—an area we are into today—are having crippling effects all across the economy of the province. They favour the lenders at the expense of the borrowers, and by and large the lenders have been doing extremely well over the past year. Given these facts, does the minister not think it is fair the government should impose some rule where they have to pay their fair share along with everybody else? Does he not think a moratorium would be a very fair way to make sure the burden a lot of people are suffering in society today would be far more evenly spread? Does he not think, personally, that would be very fair and his government should act on it?

Hon. Mr. Welch: I would be glad to draw the Treasurer's attention to the supplementary as well.

Mr. Cassidy: Final supplementary: Perhaps the minister may recall that at the time this government was refusing to take any action on severance pay workers felt compelled to take direct action. They took direct action at Houdaille and the Beach plant in my riding. They also took direct action in plants up in Brampton and down in Windsor until they won. Finally this govern-

ment was prepared to bring in a law which, however weak, at least established the principle of severance pay in Ontario.

I draw the minister's attention to the fact the St. Catharine's labour council is now talking about a plan to occupy the banks and take direct action there in the absence of anything by the government. How many banks, how many trust companies, how many loan companies and how many mortgage companies are going to have to be occupied? How long will people have to take direct action in this province to prevent foreclosures before this government is prepared to come in and protect those people who need protection against foreclosures in Ontario?

Hon. Mr. Welch: I think the honourable member really does not assist when he tries to draw some parallel between severance pay on the one hand and interest rates on the other. There is a basic difference in jurisdiction in respect to this matter. I know the member has expressed his concern. I repeat once again that I will draw this matter to the Treasurer's attention. I know it is not the first time the Treasurer has responded to such questions in this House.

Mr. Cassidy: As the member for Port Arthur (Mr. Foulds) points out, it is not response but a failure to respond on the part of the Treasurer. We hoped for better from the Deputy Premier.

PLANT SHUTDOWNS

Mr. Cassidy: Mr. Speaker, it is also to the Deputy Premier I want to address my second question.

He will recall vividly the way the Minister of Labour (Mr. Elgie) was boasting last week about the safety net which he contended had been created in order to protect workers who are affected by layoffs and by shutdowns in the province. Could the Deputy Premier say exactly what that safety net entails for the 17 workers at the Bala Bay Inn who have now occupied that hotel in Bala because their cheques for wages have bounced?

They have not had any wages for six weeks. They are not entitled to severance pay under Ontario's law. They have not had any vacation pay nor any pay in lieu of notice. The place has gone into receivership and they have not heard a word in terms of what treatment they are going to get. What is the safety net the government was talking about with respect to those 17 workers?

3:20 p.m.

Hon. Mr. Welch: Mr. Speaker, I would be happy to see that this information is provided to the honourable member. I will ask the Minister of Labour to report to him when he returns to the House.

Mr. Cassidy: In March of this year, obviously as a means of advancing the re-election of the Treasurer, the government gave a loan guarantee of \$500,000 to the Bala Bay Inn under the tourist improvement program. If the government was prepared to give a \$500,000 loan guarantee to the company seven or eight months ago would the government now be prepared also to give a wage guarantee to cover the legitimate claims of those 17 workers who have had to sit in to try to get what is justly theirs?

Hon. Mr. Welch: I do not have this information with me this afternoon. I would be happy to draw the Minister of Labour's attention to the concerns expressed; no doubt he will include all that in his answer.

Mr. Eakins: A supplementary question, Mr. Speaker: Could the minister tell this House how much of this loan is going to be lost and could he report on the circumstances surrounding the approval of this loan through the Ontario Development Corporation?

Hon. Mr. Welch: I take that as notice.

Mr. Cassidy: I hate to see the minister getting the Margaret Birch award for nonanswers.

I would like to point out to the minister that the Canadian Admiral workers were also left in limbo because the company went into receivership and there were apparently no obligations that could be enforced in terms of the legitimate claims of the workers for wages, vacation pay and those kinds of things.

Would the minister undertake, on behalf of the government, to plug this loophole which seems to be tailor-made for employers to evade their responsibilities to workers by going into receivership? Would the government ensure that workers are never again put into a situation of not getting their wages because a company goes into receivership, as the Bala Bay Inn has now done?

Hon. Mr. Welch: Mr. Speaker, I will be glad to look into that matter.

HYDRO EXPORTS

Mr. Haggerty: Mr. Speaker, I would like to direct a question to the Minister of Energy concerning the export of firm power to the United States for a 10-year period through the agreement between Ontario Hydro and General

Public Utilities of New Jersey. Since this is firm power, will the minister inform the Legislature what the cost per kilowatt hour will be? Will it be lower than or above the present rate charged to Ontario utilities, that is, before transforming the energy from Hydro?

Hon. Mr. Welch: Mr. Speaker, as the honourable member knows, the regulation under the National Energy Board is that the price is always higher than the bulk price paid by domestic customers. I am talking about the bulk price which is made available to our utilities. As the honourable member knows, the export price is always higher than that price, if that was the question.

Mr. Haggerty: The question was based on firm power, not interruptible power. Since the question concerned firm power that changes the ball game.

Hon. Mr. Welch: The answer is no different.

Mr. Haggerty: Now that it is firm power, will Ontario Hydro identify the capital cost and the depreciation to be charged to American purchasers? Since Ontario Hydro will be purchasing American coal, has an agreement been reached on a firm price in line with energy sales to the United States in relation to the coal and is this based upon American dollars?

Hon. Mr. Welch: It would seem to me that supplementary question requires a lot of detail. If the honourable member will allow I will take that as notice and provide him with the details.

HANDICAPPED ADULTS' SERVICES

Mr. Foulds: Mr. Speaker, I have a new question for the Minister of Community and Social Services. Can the minister explain why in the year 1981 there is absolutely no program for placement available through his ministry in the Thunder Bay area, or for any area in Ontario that I can determine, for a multi-handicapped adult in my riding such as Veikko Niisila of Kaministiquia? He is a 22-year old who is blind, epileptic and mentally retarded and who continues to be looked after and cared for by his parents.

Hon. Mr. Drea: Mr. Speaker, I will look into it.

Mr. Foulds: Supplementary: Is the minister not aware of the letter I sent him and the nonanswer he sent back in which he indicated that over the last several years the Niisilas had been trying to get some assistance for Veikko? Also, over the last 18 months the Niisilas and my constituency assistant have been trying to deter-

mine what help could be available to them, both on a temporary basis and as long-range assistance that could be forthcoming to them. The answer has been a loud and resounding silence.

What steps will his ministry take to assure the Niisilas and people like them all across the province who have shouldered their responsibility for many years, that his ministry will shoulder its responsibility? Will steps be taken to ensure that people like the Niisilas will not have to face old age with anxiety about their son and about their own capability to look after him, and that, should anything happen to them, something decent and humane will be done so that Veikko can be looked after?

Hon. Mr. Drea: Mr. Speaker, I will refresh my memory on written replies that were given to the honourable member. I know there was leadership displayed not only by the ministry in the past but the district working groups and the other community groups as well. It is far more than just the government. A great deal is being done in this area.

I sympathize with the intentions of the honourable member, but since he has asked about the family's future, and I can understand their concerns, I will reply to him. Indeed, after I reply, I will arrange for somebody to go and talk personally with the family to reassure them this is one anxiety they need not have.

Mr. Foulds: Supplementary: Can the minister not understand it is not only the individual case that is at stake here but the fact that this minister, in this day and age, has failed to develop programs or placements for multi-handicapped adults, like Veikko Niisila, who face an anxious future and whose parents face an anxious future? Does he not think his ministry should be further along the road in 1981 than it is with regard to placements for people like them?

Hon. Mr. Drea: Mr. Speaker, I do not think the record of this ministry has either to be defended or elaborated upon. I do not think another ministry or department in any one of the other 59 jurisdictions in North America has been as successful and provided such a leadership role, in providing either facility or community placements. I will get back to the member on this individual.

I always find it intriguing that after we discuss the case of the individual I am always told it really is not the individual, that there are dozens and dozens more. If there are dozens and dozens more give me their names, too.

TORONTO ISLANDS HOMES

Mr. Williams: Mr. Speaker, I have a question of the Minister of Intergovernmental Affairs.

[Failure of sound system].

The minister has introduced legislation into this Legislature that will prevent the municipality of Metropolitan Toronto from fulfilling its commitment in this century to the two and one half million people of Metropolitan Toronto to provide a full park and recreational facility on the Toronto Islands. Retention of the residential community can only be accomplished at a cost of millions of dollars to Toronto taxpayers to provide the attendant basic municipal services. The city of Toronto now recognizes the financial folly of this undertaking, and even before the legislation has been enacted, the city of Toronto has served notice of its intention to come to the province with hat in hand to ask the province to pick up the cost.

Given these facts, can the minister assure this House that the province will not be providing any special provincial funds to the city of Toronto to meet their financial obligations in providing these municipal services?

Hon. Mr. Wells: Mr. Speaker, I was a little worried. I was afraid my friend was making a speech saying he was not in favour of this bill, but I am sure he is just eliciting some information on this very important subject.

3:30 p.m.

A number of ads have been run—that is probably what provoked his question—by the municipality of Metropolitan Toronto this weekend. Some of the ads contain a number of statements that are misleading or, at the least, distorting the facts. I noted one of the statements in the question my friend asked was that Metro would be deprived of park land. Swadron found in his inquiry there is absolutely no evidence that not enough park land now exists on the islands without the area that is now used as a residential area. In other words, there is adequate park land there for Metro now, and the residences can stay.

The answer is no to the question, "Are there any special grants to be paid by the government for the servicing to the city of Toronto?" The essence of the Swadron report was that the residential community would stay there and would pay their way. There will be quite a sum of money, probably up to \$1 million, paid by the city of Toronto to Metro to lease the lands back from Metro so the city can then give the leases to the home owners. The city will be charging

the home owners rent for the lands they are using. That will be a substantial recovery. There will have to be money paid for services on the island. Those services would be there in any event.

Mr. Williams: Supplementary, Mr. Speaker: One of the basic municipal services that will have to be provided that will cost in the millions of dollars is an adequate sanitary sewer system. What will be the position of the province if we are asked by the city of Toronto to pick up those costs at the provincial level?

Hon. Mr. Wells: Mr. Speaker, there is nothing in this bill that provides for any special grants or transfers of money to the city of Toronto for the provision of services. It is hoped the city, as they do for many other communities in their own municipalities, will provide adequate servicing for the islands. There are no special provincial grants provided.

Mr. Smith: Mr. Speaker, on a point of order—does my microphone not work either?—I wonder whether you will undertake to investigate whether it was the member for St. Andrew-St. Patrick (Mr. Grossman) or the government House leader (Mr. Wells) who arranged that Mr. Williams's microphone did not work when he was attacking the islands bill.

Mr. Ruprecht: Mr. Speaker, does the minister realize that \$200,000 was set aside by the council of Metropolitan Toronto for purposes of fighting the decision taken in cabinet? I hope he is fully aware that the advertisements appearing in the papers over the past week are part and parcel of the money set aside to fight the decision the government has taken.

Will the minister consider options to slap Metro on the wrist for this kind of expenditure, or will he consider other possible actions that will somehow deflect the grave irresponsibility of that council?

Hon. Mr. Wells: Mr. Speaker, it is not my intention to take any action in regard to Metro's decision, taken by itself, to produce these ads and run them in the newspapers. It is up to them if they want to embark upon what I think is a foolish and wasteful course of action. That is their responsibility.

I want to say I found it rather interesting that the newspapers, in accepting those ads, had the name of the person who was sponsoring and paying for them so small it was impossible to read it without a magnifying glass.

Mr. Ruprecht: The question is, what will you do?

Hon. Mr. Wells: It should at least have had the crest of Metropolitan Toronto and Paul Godfrey's name on it.

Mr. Speaker: Order. The problems with the sound system are a bit more complex than we had first thought. Some of the microphones cannot be shut off once they are turned on. I caution the members to be careful in their asides.

POLICY ON REFUGEES

Mr. Van Horne: Mr. Speaker, I want to direct a question to the Provincial Secretary for Social Development; it is a carryover from the debate we had earlier this afternoon. People from troubled countries such as El Salvador have been able to escape and find refuge in camps in Mexico and, similarly, some people have been able to leave Poland in the past few weeks and have found refuge in Vienna. Both these groups are seeking further refuge in Canada, particularly in Ontario. Will the minister see that the Ministry of Health waives the three-month residency requirement for those people who do come to us from those countries with either private or federal government sponsorship?

Hon. Mrs. Birch: Mr. Speaker, I remind the honourable members of this House that this government has always done everything possible to help refugees from any country. I can only assume we will continue to do that with any refugees who arrive in this province in the near future.

Mr. Van Horne: I take from what the minister says that the government is prepared to waive the three-month residency requirement. That being the case, I ask that she see notice is sent to medical officers of health and school boards in the province so that all those people dealing with the incoming refugees, particularly the children, will be properly notified and will know, when they have to refer to doctors or whatever health service delivery is required, that the residency requirement has been waived. Will she notify the school boards and the medical officers of health?

Hon. Mrs. Birch: That kind of action has always taken place in the past; I assume it will take place in future. But I will refer it to the attention of the Minister of Health (Mr. Timbrell).

3:40 p.m.

PLANT SHUTDOWNS

Mr. Mackenzie: Mr. Speaker, I have a question for the Minister of Industry and Tourism. Is

the minister aware of the notice by Galtaco this morning that it is closing permanently the Cambridge foundries and that 105 more Ontario workers are confined to the industrial labour scrap heap? Was the minister, any of his staff or any Ministry of Labour people informed in advance of this shutdown, and was any justification given for the shutdown?

Hon. Mr. Grossman: Yes, Mr. Speaker.

Mr. Mackenzie: Will the minister give the House the information he has with regard to the shutdown?

Hon. Mr. Grossman: The Ministry of Labour has been chiefly responsible for those discussions over the past few days and will be pleased to provide—

Mr. Renwick: Come on. It is your responsibility, not the Ministry of Labour's.

Mr. Mackenzie: Will the minister also report on spinoff effects of this particular shutdown, where the company says it has no obligation for the severance pay of those workers involved, citing labour disputes that have been in effect there, and the effects on bargaining with the other foundry operation, the Galtaco plant in Orillia, where the company's request for a 20 per cent across-the-board cut in wages and benefits is undoubtedly going to affect any efforts to reach a new collective agreement, which they are at present involved in discussing? Is this, in the minister's opinion, responsible corporate behaviour?

Hon. Mr. Grossman: The member knows that matters of collective bargaining and severance pay properly lie in the jurisdiction of my colleague the Minister of Labour (Mr. Elgie). He knows that, and he can ask him tomorrow afternoon.

Mr. Speaker: New question.

Ms. Copps: The member for Essex South (Mr. Mancini) has a supplementary.

Mr. Speaker: I realize that, but there were two supplementaries to the main question. The member for Hamilton East was on his feet, and I had recognized him earlier.

Ms. Copps: The member for Essex South was on his feet at the same time.

Mr. Speaker: With all respect, he was not.

Mr. T. P. Reid: You can tell when he is standing up; he is not that short.

Mr. Speaker: I am sure we all can. The member for Prescott-Russell with a new question.

FRANCOPHONE SCHOOLS

Mr. Boudria: Mr. Speaker, I have a question for the Minister of Education on the topic of the French school in Orleans. The minister is probably aware that the local parent-teacher association has circulated a letter to all parents in the Orleans area, requesting the children to send a Christmas card to the minister, asking for a new school for Christmas.

Can the minister tell us whether she is going to adhere to the request of these children, or will she be the grinch that stole Christmas for the kids of Orleans?

Hon. Miss Stephenson: Unhappily, my name is neither Santa or Mrs. Claus, Mr. Speaker. I have to tell the honourable member that the 1982 allocation is already totally distributed. It is my hope that, as a result of presentations being collated right now from all of the school boards, we shall be able to attend to this matter very early in the 1983 allocation.

Mr. Sweeney: Mr. Speaker, the minister will appreciate that to have a French school in Orleans by September 1982, her approval would be required almost immediately. Given the fact that, at least in the past, she has indicated a shortage of funds as part of the problem, is the minister prepared to direct some of the negative grant money coming from the sale of Laurier Carrière high school, which accrues back to the ministry, usable for this particular purpose?

Hon. Miss Stephenson: Mr. Speaker, the allocation for the Orleans school will be dealt with in the regular procedure, which is in process at the present time and which I hope will be finalized within the very near future without having to rob one of the other school boards of funds that would accrue to them. Those funds, which are made available or rest within the Ministry of Education, as the honourable member knows, have been limited at the present time to provide encouragement for boards to look at appropriate ways in which to utilize buildings they no longer need or need fully.

Mr. Di Santo: Mr. Speaker, I want to ask the Minister of Education how long the children of St. Norbert school must wait, because of a lack of funds made available by the ministry, to have their portables removed and have the classrooms built for which they have been asking for four years.

Hon. Miss Stephenson: Mr. Speaker, I am not

at all sure that was about the Orleans school, and I am not sure which school it was about. I am sorry; I could not hear it.

Mr. Di Santo: The Minister of Education said that—

The Acting Speaker (Mr. Cousens): That is not a supplementary.

Mr. Di Santo: It is a supplementary, Mr. Speaker. On a point of order then, Mr. Speaker—

The Acting Speaker: Okay.

Mr. Di Santo: The Minister of Education referred to the fact that they cannot supply money to the Orleans school because of the limited funds. I am asking the minister, in view of the limited funds, how long will the children in St. Norbert school in the riding of Downsview have to wait to have their classrooms built?

Hon. Miss Stephenson: I believe the school the honourable member speaks of is within the jurisdiction of the Metropolitan Separate School Board.

Mr. Di Santo: St. Norbert.

Hon. Miss Stephenson: It does fall within the jurisdiction of the Metropolitan Separate School Board; right? Right. At the present time, there are discussions being held between the North York Board of Education, the Metropolitan Toronto School Board and the York region board, as well as the Metropolitan Separate School Board, to determine the ways in which we can best utilize all the facilities that may or may not be available, and to determine on a regional basis the way in which moneys may be allocated more effectively and more efficiently to meet the needs of students in any specific area of this large region, including Metropolitan Toronto and York region.

The Acting Speaker: A new question; the member for Oakwood.

Mr. Grande: Thank you, Mr. Speaker.

Hon. Miss Stephenson: That was a new question.

The Acting Speaker: I am having a difficult time hearing the member. I called on him for a supplementary, and it was treated as a supplementary. I apologize.

Mr. Grande: Mr. Speaker, my question is for the Minister of Education.

The Acting Speaker: I cannot hear the member for Oakwood. His microphone is not working.

With the House's permission, we are having

difficulty hearing, and I had trouble hearing the last person who was asking a supplementary because of the sound here.

Mr. Grande: Let me move.

The Acting Speaker: You could stand in your place, or will the House allow you to stand there to ask this question?

Agreed. The member will proceed.

HERITAGE LANGUAGES PROGRAM

Mr. Grande: Mr. Speaker, I have a question of the Minister of Education. This question has to do with the heritage language program and the cutback in that program last year. The minister made a commitment on June 5, 1979, that the funding would come 100 per cent from the government and, further, that there would be no constraint upon local school boards to provide additional funding for the program.

In view of the fact that a document prepared for the chairman of the Metropolitan Separate School Board shows that the Ministry of Education is providing only 82 per cent funding to that program and further, in view of the fact that a Metro board official came to her last month and asked her to provide the 100 per cent funding and she said she would not provide money, not one cent more for that program, does the minister want to see one program in six cut back in the heritage language program? If she does not, will she provide the 100 per cent funding that was promised two years ago?

Hon. Miss Stephenson: Mr. Speaker, there has not been a meeting with an official of the Metropolitan Separate School Board at which heritage language funding was discussed with me, and I made no such statement about it. The honourable member had better get his facts or his sources straight before he starts making such statements.

In addition, the heritage language program, which was introduced—

Mr. Nixon: That's right, Bette.

Mr. Swart: You'll find out you're wrong again.

Hon. Miss Stephenson: Does he want an answer or not?

The Acting Speaker: Order.

Hon. Miss Stephenson: The heritage language program, which was introduced by my predecessor, has met with great success in this province, because it is now serving more than 73,000 students in Ontario. The funding is provided on the basis of 100 per cent of an

averaging figure which has been established by the Ministry of Education in examining the costs of providing that educational program both inside and outside Metropolitan Toronto. It is a very fair funding level. Some boards are expending more than that because of certain arrangements they have made at their own insistence. It has nothing to do with the requirements of the program at all; it is their desire to do it this way. If it costs them more, then they are going to have to pay for it.

3:50 p.m.

The province pays 100 per cent of the cost of that program on a pupil basis as established in figures that were distributed to all the boards last year, with a significant increase. If some boards cannot match that, it is because of the way in which they have decided to fund the program.

Mr. Grande: Is the minister saying that 100 per cent funding is 100 per cent funding that the board may use provided it uses the same definition as the Ministry of Education uses in terms of its expenditures?

Hon. Miss Stephenson: Of course.

Mr. Grande: Then is the minister aware that this coming month, in January, during the meeting of the Metropolitan Toronto School Board, the boards of North York, Scarborough, East York and Etobicoke will be moving to cut back that program to reflect exactly the amount of money the ministry gives it, given her commitment to 100 per cent funding? They are going to cut back the program. What is the minister going to do to prevent the Metro boards from cutting back the program?

Hon. Miss Stephenson: The Scarborough board will have a great deal of difficulty in cutting back a program that is not in existence at this point. They have not introduced the heritage language program in Scarborough.

The position that has been taken is that there is a mechanism for funding through the continuing education funding formula, which is appropriate, which is reasonably generous in support of that program and which does provide for heritage language programs throughout Ontario. Obviously, the boards can keep those programs functioning within that funding level if they so desire.

ONTARIO LIQUOR POLICIES

Mr. Eakins: Mr. Speaker, my question is to the Minister of Consumer and Commercial Relations. In view of the request from Ontario's

hospitality industry to extend the hours of sale of alcoholic beverages in Ontario, on which a decision by the cabinet is pending and I believe imminent, and recognizing the need to review the functions of the Liquor Control Board of Ontario and the Liquor Licence Board of Ontario, will the minister agree to undertake a total review of licensing, consumption, hours of sale, distribution and abuse of alcoholic beverages in Ontario? Will the minister initiate a total review rather than carrying on in the present ad hoc fashion?

Hon. Mr. Walker: Mr. Speaker, at the moment we do not have a comprehensive review in mind. The honourable member's comments seem to be antithetical to say the least; on the one hand he suggests we study the abuses of alcohol, and on the other he implies there should be some significant openings. However, I will take his comments as notice and consider the observations he has made.

Mr. Eakins: Will the minister not agree that it is time to make a comprehensive review rather than just reacting according to acceptability by the public? Since the Treasury brings in something like \$1.25 million per day in revenue, should we not be taking a look at the ministry's contribution to the Addiction Research Foundation and the underfunding of detoxification centres and other areas that are dealing with alcohol abuse?

Why does the minister not take a look at the overall concerns regarding alcohol? Since the minister is going to be making a decision shortly about the hospitality industry, why does he not look at a comprehensive review?

Hon. Mr. Walker: I thank the member for his observations; they are something I will take into consideration.

Mr. Eakins: The Minister of Industry and Tourism (Mr. Grossman) told us that in estimates.

Mr. Speaker: Order.

Mr. Peterson: Mr. Speaker, will the minister re-evaluate the question of beer in the ball park and the question of selling Ontario wine in independent grocery stores in Ontario? Why is he not doing something about those?

Hon. Mr. Walker: Mr. Speaker, is the member suggesting we should have beer in the ball park?

Mr. Peterson: Of course; and Ontario wine in independent grocery stores.

Hon. Mr. Walker: Beer in the ball park like the Orange Bowl has; is that what the member is suggesting?

Mr. Peterson: Wine in the ball park.

Hon. Mr. Walker: Beer in the ball park?

Mr. Peterson: Ontario wine in the ball park. Interjections.

Mr. Speaker: Order.

Hon. Mr. Walker: Is that what the member is suggesting? I do not understand what the member is suggesting, Mr. Speaker. Is he advocating beer in the ball park? Is that what he is really saying? Does he want me to approve beer in the ball park? I presume he is suggesting there would be no problems with that. He is content that there would be no problems? Is that correct?

Interjections.

Mr. Speaker: Order.

Hon. Mr. Walker: Mr. Speaker, he is not answering my question.

Mr. Speaker: He does not have to.

MUNICIPALITIES' FINANCIAL PROBLEMS

Ms. Bryden: Mr. Speaker, the next question is for the Minister of Municipal Affairs and Housing. In October, the minister sent a letter to all heads of municipal corporations, asking for copies of their auditors' management letters for 1980 and future years. I understand from the minister's letter that the 1980 management letters indicated that a number of municipalities had financial problems so severe as to threaten their financial integrity. Can the minister tell us how many municipalities are in this position? Have any municipalities defaulted on their obligations? Has the minister placed any municipalities under provincial supervision? If so, how many?

Hon. Mr. Bennett: Mr. Speaker, I did send out a letter to the municipalities requesting some of their background and auditing material, mainly so we could do a survey and try to be of some general assistance to those municipalities that have experienced difficulty and, as I said during my estimates, to try to catch some difficulties that might be occurring or could be occurring in the relatively near future. Indeed, one or two have been put under ministry observation and control. I think there was one down in eastern Ontario in recent days, where people from the ministry have been put in charge of its operation, I hope not for a long

period of time. There are one or two others. I am prepared to support my position with details of the particular municipalities.

Ms. Bryden: Will the minister admit that some of the difficulties in the municipalities stem from the provincial government's failure to assist with operating costs when new capital facilities are acquired under Wintario grants and his failure to legislate an adequate revenue-sharing formula that would allow municipalities to plan ahead? What specific plans does the minister have to help those municipalities in trouble to become viable and avoid bankruptcy?

Hon. Mr. Bennett: In this province we have never allowed municipalities to become bankrupt, in the true sense of the word. Very clearly, the province has moved in and tried to shore up the situation. I do not accept the fact that it is the province's responsibility, in a direct sense of the word, to try to cover some of the mistakes made by municipalities.

The member's first question was to the effect that a municipality may find itself in difficulty as a result of a capital project that has been undertaken through Wintario assistance from another ministry of this government. Some of them will find difficulties. Indeed, the one in eastern Ontario finds itself in that very position because it did something that it did not follow through on with the Ontario Municipal Board and so on to get concurrence in the capital expenditures for that and some of the other services.

I do not accept, very clearly and unequivocally in this House, the responsibility on behalf of this government for some of the shortcomings of municipalities in their financing. We do try to give them advice and guidance to keep them from getting into financial difficulties, and when they do occur we move very quickly to make sure we shore up the situation.

SITUATION IN POLAND

Mr. Yakabuski: I rise on a point of privilege, Mr. Speaker. When the government House leader, the Leader of the Opposition and the leader of the third party went on record as supporting a resolution regarding the present difficulties in Poland, I was tied up with a delegation in my office and was unable to associate myself with that resolution at that time. At this time, sir, I wish to associate myself with that resolution and to concur in every way, because I feel I speak for a great many people of

Polish descent in the Ottawa Valley. I want to concur in and support the resolution proposed by the government House leader.

4 p.m.

DECORUM IN LEGISLATURE

Mr. Williams: I have two points of privilege, Mr. Speaker.

Mr. Speaker: One at a time, please.

Mr. Williams: With regard to the first point of privilege, Mr. Speaker, I draw your attention to the standing orders of the assembly, in particular to part I, regulation and management of the House, standing order 1(b), which provides: "In all contingencies not provided for in the standing orders the question shall be decided by the Speaker or Chairman, and in making his ruling the Speaker or Chairman shall base his decision on the usages and precedents of the Legislature and parliamentary tradition."

Mr. Speaker, I draw your attention to this standing order, as it relates to a matter I brought to your attention last Thursday, December 10. At that time, I inappropriately suggested it was a point of order when it was a point of privilege. The point of privilege addresses itself to what I brought to your attention, having observed during question period in the House that day that the leader of the official opposition and the member for Port Arthur (Mr. Foulds) were having a light lunch of peanuts.

I draw your attention to the fact that the leader of the official opposition last Friday and again today is obviously taking this matter with the same frivolity as the members of the Liberal Party and does not consider that type of behaviour is in any way degrading to the parliamentary procedure one expects from members of this Legislature. It is something the public assumes would not be appropriate for this assembly.

It is a matter that is a point of privilege because it is demeaning to the other members of the Legislature who expect some decorum to be maintained. I notice the leader of the official opposition again this afternoon, almost in outright defiance of the parliamentary traditions we expect in this Legislature, was munching on a light lunch. I think it is regrettable—

Mr. Peterson: It's the leader of the third party, not the Leader of the Opposition (Mr. Smith).

Mr. Williams: The leader of the third party—

Mr. Smith: I am not munching any light lunch. He is even farther from his tree than usual.

Mr. Eakins: Hugh has some chocolates here. Would the member for Oriole (Mr. Williams) like some?

Mr. Speaker: Order. Your reference was to the Leader of the Opposition.

Mr. Williams: I am sorry, Mr. Speaker. Obviously, I meant the leader of the third party.

The point I wish to make is that it is apparent the leader of the third party—it is perhaps one of the reasons he will not be the leader of the third party in this province much longer—was almost defying what is assumed to be appropriate tradition and decorum in this House by proceeding to enjoy—

Mr. Speaker: Order. I think your point has been made well, and I will certainly take it under consideration as to whether it constitutes a point of privilege. If it does, I will take your remarks under consideration. You have a second point?

Mr. Williams: Mr. Speaker, I wish you to take that matter under consideration. I hope you will be able to report before the House recesses at the end of the week. It is a matter of some importance as to the future conduct of this Legislature.

The second point of privilege pertains to the same matter, in that, with the same frivolity the members of the third party and the official opposition treat the matter, the news media on Friday, December 11—

Mr. McClellan: If the Sergeant at Arms were to search your desk, he would find a bag of peanuts.

Mr. Williams: The Toronto Sun seemed to take the matter with some frivolity last Friday. It did report the matter raised by myself in the House Thursday afternoon. In concluding what was otherwise an objective and fair assessment of the criticism I levelled as to the lack of decorum in the House—

Mr. Speaker: Order. With all respect I think you have made your point. Your second point is not really a point of privilege.

Mr. Williams: I am sorry, Mr. Speaker, I was just coming to the point where in fact a statement was made in the press that was inaccurate because it was based on fabrication and not fact. I might point out specifically what was stated.

Mr. Speaker: Order. I think you have made your point, thank you.

Mr. Stokes: Are you going to challenge the Speaker's ruling?

Mr. Williams: Mr. Speaker, in the next article—

Mr. McClellan: Sit down when the Speaker is on his feet.

Mr. Stokes: Throw him out.

Mr. Williams: Mr. Speaker, with respect—

Mr. Speaker: Order. Will the member for Oriole please resume his seat.

REPORTS

SELECT COMMITTEE ON THE OMBUDSMAN

Mr. Runciman from the select committee on the Ombudsman presented the committee's report and moved its adoption.

Mr. Runciman: Mr. Speaker, this is the first report from the current select committee on the Ombudsman and the ninth report since the committee was first established in 1976. I look forward to debating this report at the appropriate time.

On motion by Mr. Runciman, the debate was adjourned.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. Treleaven from the standing committee on administration of justice reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of the Attorney General be granted to Her Majesty for the fiscal year ending March 31, 1982:

Law officer of the crown program, \$2,601,300; administrative services program, \$31,757,800; guardian and trustee services program, \$6,217,200; crown legal services program, \$15,082,800; legislative counsel services program, \$2,019,700; courts administration program, \$73,424,800; administrative tribunals program, \$7,434,700.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. T. P. Reid from the standing committee on public accounts presented the committee's report and moved its adoption.

Mr. T. P. Reid: Mr. Speaker, as in past years, our main concern continues to be improving the extent to which civil servants are held accountable and responsible to their ministers and to the Legislature for their actions. Our recommendations on absenteeism and on formal written performance appraisals are important steps in this direction. The report also deals with

another number of recommendations in regard to specific criticisms in the auditor's report.

In 1982, we will be dealing with matters such as grievance policy, disciplinary procedures, merit pay and red circling in the Ontario Civil Service, the use of computers in the Ontario government and the accountability of crown corporations and semi-independent agencies.

On motion by Mr. T. P. Reid, the debate was adjourned.

STANDING COMMITTEE ON PROCEDURAL AFFAIRS

Mr. Rotenberg, on behalf of Mr. Kerr, presented the committee's report and moved its adoption.

Mr. Rotenberg: Mr. Speaker, this report deals with the changes in procedures for private bills and has been adopted, I believe, unanimously by the standing committee. I hope it can be dealt with in this Legislature as soon as possible.

On motion by Mr. Rotenberg, the debate was adjourned.

4:10 p.m.

MOTION

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Hon. Mr. Wells moved that the standing committee on administration of justice be authorized to sit tomorrow afternoon and evening, Tuesday, December 15, 1981.

Motion agreed to.

INTRODUCTION OF BILLS

GAS CREDIT CARD PAYMENTS ACT

Mr. Swart moved, seconded by Mr. Philip, first reading of Bill 197, An Act respecting Gas Credit Card Payments to Dealers.

Motion agreed to.

Mr. Swart: By way of explanation, Mr. Speaker, this bill will provide that producers, importers and refiners of petroleum products, or other persons who sell petroleum products at wholesale and issue credit cards to the public will be prevented from making a charge or levying a discount against dealers because payment or part payment is made by credit card scrip.

MORTGAGORS' RELIEF ACT

Mr. Renwick moved, seconded by Mr. Philip, first reading of Bill 198, An Act to provide

Temporary Relief to Mortgagors of Residential Property in Ontario.

Motion agreed to.

Mr. Renwick: Mr. Speaker, I am introducing in this Parliament a bill I introduced in the last Parliament, as it is obvious it is an idea whose time has come. The purpose of this bill is to protect home owners by providing a moratorium until March 31, 1983, on court proceedings for foreclosure, exercise of a power of sale or recovery of payments of principal and interest under a residential mortgage by providing that any residential mortgage coming due before March 31, 1983, shall continue in effect with the same terms and conditions until that date.

Mr. Cassidy: Mr. Speaker, on a point of order: It may be a bit unusual, but perhaps I could inquire of the member for Riverdale whether that bill is the one that was accepted in principle by the Conservatives in Saskatchewan?

Mr. Smith: Ask him personally.

PLANNING AMENDMENT ACT

Mr. Philip moved, seconded by Mr. Swart, first reading of Bill 199, An Act to amend the Planning Act, 1981.

Motion agreed to.

Mr. Philip: Mr. Speaker, this bill gives additional enforcement powers to municipalities that have enacted property standards bylaws. Such municipalities may add the cost of correcting violations of the bylaw to the owner's property tax bill and may enact bylaws authorizing tenants to pay rent to the municipality rather than the owner until an order of repair has been complied with. Property standards officers may have immediate repairs carried out in emergency situations. This gives to other municipalities the same kind of powers the city of Toronto now possesses.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I would like to table the answers to questions 241, 256 and 263 standing on the Notice Paper. (See Hansard for Friday, December 18).

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, OFFICE OF THE PREMIER AND CABINET OFFICE (continued)

On vote 201, Office of the Premier program, and vote 301, Cabinet Office program:

Mr. Kerrio: Mr. Chairman, on Friday last I mentioned to the Premier (Mr. Davis) that I had grave concerns about how the auto pact was serving the auto manufacturing worker in Ontario. I asked the Premier originally to set aside the rhetoric about that being a federal jurisdiction and federal responsibility. My appeal to the Premier and to the Minister of Industry and Tourism (Mr. Grossman) would be to make the case in such a way that the federal government might take that kind of assessment under advisement.

In addition to those figures, I have subsequently checked and find that after the 16 years the pact has been in existence the deficit position is just slightly over \$13 billion as it relates to all of the facets of manufacturing. Of course, the Premier is aware of the fact that the largest discrepancy is in the auto parts manufacturing aspect of the auto pact.

I also have to bring into the picture the fact that there is even a more obvious imbalance in research. I wish to put on the record the fact that in 1977, a typical year, the US automotive industry spent an estimated \$3.4 billion on research and development, an increase of about 15 per cent from 1976. Research and development expenditures in Canada amounted to just over \$8 million in the same time frame, and most of this came from the parts manufacturers. The Canadian subsidiaries of the Big Four undertook about \$2 million in research and development but paid in excess of \$300 million for research and development performed on their behalf at their US installations.

Thus, the Premier can see that whole area of manufacturing as it relates to Ontario needs a great deal of input from the Premier and the minister responsible. I hope he will take it upon himself to make that presentation to the federal government. As I said before, and in winding up this small part of the assessment of the Premier's estimates, I hope he will take it upon himself, along with that minister, to make that case to the federal government.

In keeping with that area of concern, I see there has been some discussion in cabinet with the Minister of Industry and Tourism on an automotive parts technology centre. In view of the fact that is where the greatest imbalance is in the auto industry in Canada—and I keep saying, in particular in Ontario—I wonder when the Premier responds to some of the questions whether he is going to tell us when in fact he is

going to put that technology research centre in place.

4:20 p.m.

It is long past the time when he should have given us that information. I am hopeful it will come to the Niagara Peninsula, in keeping with the great number of automotive suppliers and manufacturers in the area. I am sure the Premier realizes the significance and seriousness of the situation, and I hope when he responds he will answer the question as to when he will make that determination and where that centre is going to be.

I have one other item that relates to the very high office of the Premier. I am asking questions only in areas the Premier has indicated an interest in. Whether they are on the vote or not is important, but the Premier has made a personal observation in this particular area, and that is why I am anxious to question him about it and put some questions on the record that he might answer.

The Premier has participated in another area of interest to me. I want his response to this one because it is very important to me. I do not think it is often that the Premier goes about the province sending in letters to the editor. I do not know to what degree he did this, but I do know that in the Niagara Falls Review there was a letter to the editor from the Premier. I think that augurs well for the people in my riding—they realize he is interested in what is happening in Niagara Falls. He knows the letter of which I speak. It has to do with United Nations International Children's Emergency Fund Week. I am not going to read the whole letter because if he reads all the letters he signed he must know the letter by heart.

Hon. Mr. Davis: Since I draft them all, of course I do.

Mr. Kerrio: I thought the Premier may have hand delivered them.

The theme of UNICEF Week, October 24 to October 31, 1981, was to promote safe drinking water. Coming from Niagara, that theme has a very high priority in this member's book. The Premier's letter, in part, says, "The goal of this United Nations declared ambition is to eliminate by 1990 the threat of death and disease which at present endangers the lives of 500 million children in the developing world.

"The provision of basic necessities, such as wells, pumps and pipes, will guarantee safe water, a vital contribution to the health and wellbeing of these children in need. I urge my

fellow Ontarians to join with me in offering encouragement and support to UNICEF during UNICEF Week for safe drinking water. Your generosity can ensure a healthy future for children less fortunate than our own."

I admire the Premier's stand on that issue. It is a very important and significant issue, but coming from Niagara it is a bit of a contradiction. There exists in Niagara one of the prime areas in all of North America that needs the Premier, the Minister of the Environment (Mr. Norton), indeed the whole cabinet, to respond. Those people down there are crying for some significant participation on the part of the Ontario government, to join hands with our American friends, to make a commitment.

I have used the observation with the Premier before, if he may remember—I am not sure he remembers the things the ordinary members suggest, but this is one I suggested to him and the former Minister of the Environment. I said: "Mr. Premier and Mr. Minister, I wish you would stand tall on this issue. Take it from me, and do what you will with that important issue, with the resources and talents that you have to do it with."

The response has not been all that good. I have been pleading, cajoling and even pressuring this government through the Premier and the Minister of the Environment to become much more involved and interested in cleaning up that environment.

If the Premier is sincere about this letter, as it relates to cleaning up the water for the Third World, a thought comes to mind of a saying my grandmother used to use: charity begins at home. I hope he and the minister will address yourselves to that significant and important area of Niagara and, beyond Niagara, to Lake Ontario, Toronto and wherever.

The thing that disturbs me is the minister has decided he would participate, but not to the degree we would like his government to participate. We have been told on many occasions by elected representatives of New York state and the American federal government that if this government were to have a much higher profile, they would indeed react.

The minister is now talking about attending the SCA hearings in Lewiston, New York, to make the government part of the hearings in an official way. I would like to suggest the Premier asks him to take his research and legal staff and participate in a meaningful way and not just make a statement that would indicate his

interest but would not have much more substance than that.

The other thing that disturbs me is I now have in my hand a copy of the *Toronto Star* suggesting that meetings that were to have taken place between the Premier and Governor Hugh Carey have now been put off for about the third time. I suggest it is not the Premier's fault. I think the Americans cancelled the meeting at one juncture and we subsequently did so on another, but the thing I would like the Premier to do is to make the same commitment he has obviously made to the Third World in relation to clean water. I would like him to make that commitment to the people of Ontario.

The way he can prove his heart is in the right place is to see if the Minister of the Environment will go to the hearings armed to the teeth. I do not want him going over there to listen, make one statement, then pack his little bag and come back home. That is not good enough any more.

I think the Americans are prepared to enter into a much more meaningful involvement if we show we are prepared to do the things that have to be done. For example, Pollution Probe, which became involved in the Love Canal function, got another hearing and got the Americans to realize the situation was grave and dangerous and there were people in Canada who were interested enough to participate in the hearings.

I ask the Premier to speak to the minister, who is going to attend such meetings with him, and make that one of his high priorities. In that way, he would be doing a great service to the people of my constituency and, more particularly, to the people of Ontario.

Mr. Cassidy: Mr. Chairman, I have questions for the Premier in a couple of areas. The first is the area raised by myself in the course of the estimates of the Ministry of Intergovernmental Affairs one day last week, which was then raised again by my colleague the member for York South (Mr. MacDonald), with respect to the recognition of the status of Franco-Ontarians and the French language in Ontario.

I see the Council for Franco-Ontarian Affairs submitted a report. I do not think I have seen draft legislation but even that council, which was meant to be a sort of tame in-house group, was suggesting back in January there should be draft legislation on French language government services to serve as a model for a possible law. It sounds as though they have taken up the ideas proposed at one time by my colleague the

member for Ottawa East (Mr. Roy) for a framework of law that would guarantee French language services.

The specific question which I, the member for Cornwall (Mr. Samis) and the member for York South have talked about and have raised in this House on a number of occasions is the question of section 133 of the British North America Act, the question of Ontario accepting the same obligations which now prevail in Quebec, New Brunswick and Manitoba, albeit under different types of legislation in the cases of Quebec and Manitoba.

4:30 p.m.

I recall the Premier responding to some people who expressed disappointment with certain parts of the constitutional package by saying, "Well, it's a compromise." I understand that and I understand that the override clause, the weakening of the charter of rights and so on, are results of the horsetrading that went on up in Ottawa, and the alternative was either to have a charter of rights that would have no basic support from the governments of many of the provinces or to have a charter of rights that would be so watered down it would be offensively weak.

But in the case of section 133, those factors did not prevail, because this was a matter between Ontario and the federal government and it was not essentially a matter in which the other provinces were involved. Quebec had other fish to fry. New Brunswick had already agreed it would come in and is included in the resolution that is now at Westminster.

I would like to ask the Premier my questions and perhaps get his responses. Given the fact that since section 133 became an issue and since the demand for adequate recognition of the Franco-Ontarians really came to a head in 1974, as the Premier will recall, at the time of the Carleton East by-election—a by-election, ironically enough, where the failure of the government to run anything meaningful with respect to French language services was one of the factors that led to the defeat of its candidate—since that time there has been great progress.

We now have French language secondary school services for most of the province, although the law still has weaknesses. We now have criminal trials available in French everywhere in the province. According to the Attorney-General (Mr. McMurtry), 87 per cent of the Franco-Ontarian population now have access to

civil trials in the French language in courts. Some 50 or 60 statutes have been translated and that program—

Interjection.

Mr. Cassidy: The member for Rainy River is anxious to get rid of his national leader and suggests the Premier has a role in that.

Mr. T. P. Reid: And I want you to keep yours.

Mr. Cassidy: Quite apart from the interventions of the member for Rainy River, who I recall is the only provincial Liberal between southern Ontario and the Pacific Ocean, I believe—

Mr. T. P. Reid: We've always believed in quality.

Mr. McClellan: There's a Liberal Party in Japan, I believe.

Mr. Cassidy: That's right.

The Deputy Chairman: Order.

Mr. Cassidy: Mr. Chairman, I did not mean to be distracted by that.

C'est maintenant une réalité qu'on puisse parler le français dans la Législature et que le français est langue acceptable comme une des langues officielles du Canada dans notre Législature, que les statuts sont en train d'être traduits en français, que maintenant l'accès dans les cours de justice peut utiliser le français dans tous les procès criminels et pour la grande majorité de la population pour le processus de justice en matières civile aussi.

Given, in other words, that we have implemented virtually all those areas that are covered by section 133, and given the fact that further implementation is just a matter of time, according to the announcements made by the government, could the Premier perhaps say why he was so reluctant at the beginning, at the middle, and even at the end of the constitutional process, when so many compromises were made by so many, why he stood firm and refused to act in this one vital and area that is important not just for 500,000 Franco-Ontarians but also as a means for Ontario to show in a real and concrete way that we are prepared to make compromises in order to ensure that the Québécois, the French Canadians of Quebec, can feel at home elsewhere in Canada?

I would like some answers from the Premier. In fact, I would like to engage in some dialogue, which is normally the case in estimates. Could the Premier reply?

Hon. Mr. Davis: Mr. Chairman, I was just making a list here. I thought others might have

some points that perhaps would be duplicated and I would deal with them all at the same time. That is all I was contemplating doing. I listened to the member for York South, the member for Niagara Falls, and I have notes on the member's observations. I was going to take them all together to expedite the process.

Mr. Cassidy: Mr. Chairman, I thought of how to handle these estimates and I decided there were just a couple of areas I wanted to look at. This is one, and I think it is serious enough that is worth having some dialogue, rather than simply waiting until 9:15 this evening or whenever the estimates are near an end and then having the Premier respond at that time. Could I ask the Premier if he could give an answer now and perhaps we could have some interchange, as is normally the case with other ministries, both within this House and also when estimates are considered downstairs?

Hon. Mr. Davis: I am delighted to proceed in that fashion. I was hoping not to monopolize the discussion. I was anxious to give those members opposite an opportunity for questions or observations. If you wish me to reply to each individual item, I will go back to the question raised by the member for York West.

Mr. T. P. Reid: It will take a lot longer.

Hon. Mr. Davis: If he does not object, I will come back to what he had to say in my summation. I will just reply very briefly to the member for Ottawa Centre on the question of section 133.

There were no pressures or suggestions that section 133 be included at the last federal-provincial meeting. It was not really part of the discussion, the compromise or anything else. This was not part of the agenda nor was there any suggestion, for instance from Quebec, that section 133 be included. As I recall the discussions over the past three or four years, the present Premier of Quebec has not been disinterested but it has never been part of his approach in what he is seeking to achieve to deal with section 133.

I fully understand the arguments. We have proceeded in this province in a somewhat different fashion. We have done a number of things included in section 133, and I think we have done them in a way that is working. New Brunswick has had a piece of legislation in place—I forget the exact phrasing of it—for seven or eight years. I think the leader of the New Democratic Party will find that in the

actual delivery of the programs included under that legislation Ontario has probably done as effective a job without comparable legislation.

I recognize the sensitivity of the issue. I appreciate the leader of the NDP has acknowledged that we have made significant progress in this province with respect to the provision of services to the francophones of Ontario, but at the last federal-provincial meeting on the constitution section 133 was not really part of the discussions or proposals in terms of the compromise achieved.

Mr. Cassidy: The reason 133 did not come on the table then was because—I do not know whether there was a fly on the wall that will ever say exactly what went on between the Premier and the Prime Minister of Canada. The Prime Minister would have been the person to press Ontario to accept the obligations of section 133, given his concern with the rights of generations of French Canadians outside Quebec in his own political career and his career prior to entering politics. Since the Prime Minister of Canada decided voluntarily not to press that case, the force that could have provided that pressure was, in effect, not there.

The Premier is familiar with the series of positions taken by Quebec. Having an extremely ambivalent attitude towards the whole process, Quebec, it appears, did not wish to make this concern about Franco-Ontarians or French Canadians outside the province a priority in any manner at all. I very sincerely regret that, just as I regret some of the steps that have been taken within Quebec. To me they seem to be extremely undesirable byproducts of a justifiable effort to protect the French language in Quebec.

I speak for example of the legislation around signage. I speak of the fact that even though I was educated in Quebec I would not have the right to have my child educated in English were I to move to Montreal or Quebec City. It so happens that I went to a French school in Quebec City in order to become bilingual and to learn something about Quebec. I learned a great deal, and since that time I believe I have done my best to serve as an ambassador and an interpreter of some of the things happening in Quebec. I regret those objectionable pieces of legislation in Quebec and I hope they change. None the less, perhaps I can take it piece by piece.

4:40 p.m.

In the first place, was the Premier unaware of the virtually unanimous demand of the associa-

tions and representatives of the Franco-Ontarian community that Ontario take the symbolic step of accepting section 133? This was in addition to what was being done in terms of programs in the Ministry of Education, the Ministry of the Attorney General and in the civil service and so on.

Was he unaware of the concerns that have been voiced so frequently and so poignantly by Franco-Ontarians that despite what has been done they still feel, as French Canadians outside of Quebec, a sense of insecurity? Does he understand they have a sense that somehow it could all be taken away, a sense that punitive legislation could be enacted such as the regulations that were applied to elementary education in this province in the 1910s and 1920s and such as what happened in Manitoba? They still fear that could happen here. The way around that, in their view, is to have constitutional protections such as section 133.

Was the Premier unaware of those concerns that come from this community? Was he unaware as well of the value to Ontario when we reach out to Quebec and seek its friendship, and seek to demonstrate to the French-Canadians in Quebec that we really are doing everything we can to make French-Canadians feel at home in our province? Was he unaware of the value in that mission of having Ontario adopt section 133 and of the harm to that mission which Ontario's refusal to adopt section 133 does in terms of our ability to reach out to our compatriots in Quebec?

Hon. Mr. Davis: To reply very briefly, yes, I have had representation and communication from people in the francophone community in this province with respect to section 133. I am quite aware of the point of view expressed by some members of that community. I guess it is a question of assessment as to the significance of section 133 relative to the government of Quebec.

I expressed a point of view just a few moments ago but I respect the views of the leader of the New Democratic Party. I cannot really add much more in terms of these discussions. I do not know about any flies on the wall during the course of my discussions with the Prime Minister or others and I do not think that is really too relevant.

The leader of the New Democratic Party is expressing a point of view which I respect. But I would reiterate the very significant progress we have made in this province with respect to francophone rights and I think we can be, in

many respects—proud is not the right word—I think we have seen very genuine progress, and in a way that has been—by and large with one or two exceptions—quite acceptable to the total population.

So I can only say I cannot add much to it. The member has expressed a point of view. He knows what has been the approach, to date, of the government and I guess at this time we can only agree to disagree.

Mr. Cassidy: Mr. Chairman, if I could ask the Premier briefly, is it the cost? Is that what is holding him back from implementing section 133 in the province?

Mr. Nixon: What about Trudeau's threat to stay until you do it?

Hon. Mr. Davis: I think it is fair to state that from the government's standpoint we have never introduced in any substantial form the question of cost. The member is quite familiar with the provisions of section 133 regarding the educational community. Our own legislation really goes beyond section 133 now in terms of the criminal courts. Whatever additional cost may or may not be there, and I am not familiar with what the cost figures are, is now part of the approach here in Ontario.

I do not think the Attorney General (Mr. McMurtry) ever put a price tag on the cost of that in the civil courts. Actually section 133 does not require the translation here in our Legislature. If you read section 133 carefully it does not impose that, so as a result that would not impose a cost. We are already in the process of translating the statutes. So the answer, very simply, is that we have not used cost as the factor.

Mr. Cassidy: Then is it the potential of opposition from the New Democratic Party or from the Liberal Party that makes the Premier feel one of the opposition parties might somehow make the adoption of section 133 a political issue which could do damage to the Progressive Conservative Party in some future election in the province?

Hon. Mr. Davis: There have been occasions in the past few years to deal with this as a political issue. My own view is that it has not been used to any great extent. I know the position of the New Democratic Party in the province and I respect that position. I do not want to be provocative today, but I would say there is less than unanimity in the Liberal Party of Ontario. I do not say that facetiously. I think it is true.

Mr. Cassidy: To be specific, is the Premier then saying it is opposition from the Liberal Party of Ontario that is holding him back from agreeing to section 133 and bringing the legislation in? Because after that it is just a matter of a simple resolution by Parliament and section 133 can apply to Ontario. We will have to wait until the constitution comes home from Britain but it is only a matter of months and he can make that pledge today.

Hon. Mr. Davis: The leader of the New Democratic Party is perhaps misunderstanding me. I did not say what he suggested. I said exactly what I said.

Mr. Cassidy: If I recall it, the Premier is saying it is not opposition from the New Democratic Party. We have made our official position very clear; I stated it during the course of the election campaign. It is not the New Democrats the Premier fears are going to exploit this issue. The Premier has said there is less than unanimity among the Liberal Party. Is it that fact which is holding him back from introducing section 133 in order to have it adopted here in Ontario?

Hon. Mr. Davis: I guess the leader of the New Democratic Party is not hearing me too well. I made it quite clear I understand the position of his party; I am not debating it. I suggested there was less than unanimity within the Liberal Party. We have introduced policies and programs; we have done many things in this province over a number of years in a very positive way—a progressively conservative way—and we have not always done it with the support of the opposition parties. Surely he understands that.

Mr. Cassidy: In that case, what I hear the Premier saying is that it is not cost and it is not the opposition of the New Democratic Party, since we are not opposed. Neither is it the fear of opposition from the Liberal Party, even should they prove—being in his view less than united on the issue—to have some elements opposed to the implementation of section 133.

Could the Premier then say if there are some other forces in Ontario society or in Ontario politics—perhaps some fringe party of which I have not heard—which impede the Premier? Are there other forces that lead him to draw back from taking the constructive act of statesmanship and proposing the implementation of section 133 to apply to Ontario?

Hon. Mr. Davis: I am not aware of any other fringe parties other than his own.

Mr. Cassidy: How about elements in the society then?

I am sorry to pursue this, but—

Hon. Mr. Davis: I do not pretend to understand all of the elements in all of society in the province. I do not know what more he wishes me to say. I am delighted to have him continue to raise questions but I really cannot help him any more than I have at this moment.

Mr. Cassidy: I have pointed out that implementing this section would be an act of statesmanship in regard to how we present ourselves both to Quebec and to the rest of this country. The member for York South talked about that during the course of his remarks at the beginning of the Premier's estimates. It would be a constructive act of statesmanship for Ontario to take the lead. It is clear the Premier has the support—the majority, et cetera—to do that. It is not the cost, not the opposition, not the New Democrats, not the Liberals, not some unseen political force out there, that is holding back the Premier.

Perhaps I could ask then if there are tendencies within the Progressive Conservative Party which are holding the Premier back from taking the statesmanlike route and having section 133 implemented and applied to Ontario?

Hon. Mr. Davis: I really cannot add much more. If the honourable member wishes to go on trying to find the attitudes of everybody in the province, that is fine. I cannot tell him any more than I have already. He understands the position of the government; I understand his position. I think it is fair to state it is a subject about which at this moment we do not see eye to eye. It is not the first, nor will it be the last.

Mr. Cassidy: Perhaps I could ask this then. These things are not always revealed, but occasionally—for example in the case of the Treasurer (Mr. F. S. Miller) and Suncor—some of the internal discussions within the government are revealed. Are there elements in the cabinet which somehow the Premier cannot master and bring under control, that are impeding him from providing the leadership to see section 133 implemented for Ontario?

4:50 p.m.

Hon. Mr. Davis: Mr. Chairman, I do not want to be provocative during my estimates. I can only say it is a matter of historical record that I have had far less difficulty with my cabinet and caucus than you have had with your colleagues over the past two or three years.

Mr. T. P. Reid: Oh go on, what about Darcy?

Hon. Mr. Davis: I had no trouble with him at all.

Mr. Cassidy: That is an interesting gloss on history. Where is Allan Lawrence and where is Bert Lawrence?

The Deputy Chairman: We are starting to get a few anxious people over here looking for a turn.

Hon. Mr. Davis: Who is still here and who is sometime going to leave?

Mr. Cassidy: I am going to stick around for a while. Mr. Chairman, this is very important.

The Deputy Chairman: I respect that.

Mr. Cassidy: I think you recognize we have now gone from the universe down—in fact, not even to the cabinet since the Premier indicates quite clearly that in his opinion he controls the cabinet.

I see the secretary of the cabinet, who is kind of smiling back over there in the corner, and the Premier's deputy minister—

Interjections.

Mr. Cassidy: Mr. Chairman, I have to confess I am puzzled and perplexed at this. Is it that the Premier wants to maintain the possibility once again of exploiting anti-French feelings in the province the way it was done in the Carleton by-election? He has brought in a wide range of French language services. He has indicated it is not the cost, or the politics, or even his own party which is holding him back. Is that the reason that somehow leaves the Premier unprepared to make that final step of statesmanship which would be of enormous significance and importance to half a million Franco-Ontarians?

Hon. Mr. Davis: Mr. Chairman, I really cannot add anything more to what I have said. If Mr. Cassidy wants to introduce a very unfair, untrue comment with respect to the Carleton by-election, that is his right. He just happens to be totally wrong and very indicative of why he has had major political difficulty.

Mr. Cassidy: Does the Premier want to elaborate on that a bit more? I am sorry, I resent that; in the first place, because this party has been honourable in terms of the effort to get French-language services. We have pressed the government consistently. I think we have had some success. The government now has adopted programs—and is proud to claim them as their own—which originally were proposed by this party. Originally the government was even unaware of the need that was there.

The need is there. The Franco-Ontarians are concerned—their associations or just Franco-Ontarian individuals in their communities, in

their parishes and places like that. That sense of insecurity is perhaps not totally justified, except that the history in the province is such that they do have concerns and they do have fears and they look to some leadership from this government.

Under the circumstances, where there has been the support of both the opposition party leaders, I just cannot understand what it was that held the Premier back, except to make rather uncharitable kinds of conclusions about why the government has failed to make this move.

Hon. Mr. Davis: Mr. Chairman, Mr. Cassidy has always been trying to impute motives or in some way come to conclusions that are totally erroneous, that reveal the rather cynical approach he takes to politics. I cannot help him with that. It is as simple as that.

We do not happen to agree, but I think for him to introduce that note of cynicism is really very inappropriate. One of the most significant moves made in this province with respect to the provision of French-language services to the francophone community was done by the former Minister of Education, roughly in 1967. If memory serves me correctly, I had not even heard of Mr. Cassidy at that time.

Mr. Cassidy: I am not sure what that is all about, Mr. Chairman. The Premier happened to be here and I did not happen to be here at that time.

I can recall raising a series of questions in this Legislature as recently as 1974, when it was not possible to be born, to be married, to die, to attest a will, to get a driver's licence, or to get other government documents in the French language. I appreciate that while there were some problems, we have made great progress in terms of French-language educational services. I think we should go further.

For example, that when I speak to my friends from the Quebec National Assembly and point out what we have done—and I do that on a regular basis—they, of course, point out what we have not yet done. They point out the anomaly that in the Ottawa area the French language population is now spread around four school boards rather than having one school board of their own.

Hon. Mr. Davis: What did they tell you about Bill 101 when you were talking to them?

Mr. Cassidy: I have talked to them about Bill 101 as well.

Mr. MacDonald: Quebec's move to unilingualism is, in part, a product of the Premier's position.

Hon. Mr. Davis: Oh, no.

Mr. MacDonald: Oh, yes it is.

Mr. Cassidy: There are parts of Bill 101 which I cannot defend and which I have already criticized during the course of these estimates. I do not like those parts of Bill 101 at all. I have, on the other hand, had no problems in terms of recognizing the language of work in Quebec should be French, just as the language of work in this province is English; that is the majority of the population.

People in Montreal have, for most of a century now, enjoyed rights to control English-language education, which they have yet to acquire in Ontario despite the steps we have taken. That is real, Mr. Premier. It is true, as well, that when Penetanguishene is an issue there are headlines on the front pages in the Quebec press, but when Penetanguishene is finally resolved it is resolved with barely a notice in the Quebec press. I deplore that because it is a symptom of the misunderstanding, of the solitudes, that exist between our two societies.

Since the Council for Franco-Ontarian Affairs is now proposing this should be a model statute which would govern French-language services and which would ensure the rights to French-language services, is the Premier now prepared to see that introduced in the Legislature and adopted?

Is the Premier now prepared to accept a bill similar to the one that was proposed a few years ago by my colleague from Ottawa East, which was at that time unanimously endorsed by every member in the Legislature, apart from one or two who slipped outside, and was only upset because the Premier himself decided to torpedo it?

Hon. Mr. Davis: Mr. Chairman, if the honourable member once again wants to be provocative I can only say to him on this issue, and any other, were there to be a change in government policy I would, or the responsible minister would, be delighted to inform the House. I do not really think the member expects me to enunciate a change in government policy on this issue or any other issue in the course of these estimates.

Mr. Cassidy: Mr. Chairman, the Premier is quite prepared to say what his government will

not do but not what his government will do. So it is kind of a selective enunciation of government policy.

Given how things have changed, given the promises that were made by you, Mr. Premier, and by many of your colleagues, as well as the Leader of the Opposition (Mr. Smith), his colleagues and by myself and my colleagues during the special debate in this Legislature at the time of the Quebec referendum, have you reconsidered your rejection of the bill put forward by the member for Ottawa East? Have you reconsidered your rejection of the principles entailed in that bill? Have you had any kind of study within the government of that kind of bill being introduced sometime in the near future?

Hon. Mr. Davis: Mr. Chairman, I am having some great difficulty in communicating to the leader of the New Democratic Party that I have already answered his question.

Mr. Cassidy: Mr. Chairman, I could go on for some time but I have another area in which I would like to raise some questions. Frankly I am distressed and disappointed because I have had a commitment for a long time with respect to French-language rights and I think it is about time we finish the job in Ontario. I am sorry the Premier does not see it that way. I am sorry not just on behalf of the Franco-Ontarians but also on behalf of the kind of role that this province could have in Confederation.

I have some questions with respect to Suncor, Mr. Chairman, that I will ask the Premier. I think this should be done in a question and answer form rather than waiting until the very end. I assure my colleagues on the other side of the House if they wish to have some time I would be happy to ensure they have it. I will not try to interfere needlessly with their limits with the time I may take on this.

Mr. Chairman: Order. Is the opposition clear as to what the leader of the third party has indicated? He will be asking some questions on Suncor and expecting a dialogue back and forth from the Premier. He may be taking up unusual amounts of time.

Mr. Smith: Yes, I understood. I led off with a rather brief series of remarks. As I recall, the member for York South (Mr. MacDonald) spoke. Then I think the member for Niagara Falls (Mr. Kerrio) spoke. Now it is the member for Ottawa Centre's turn to speak and then, I

would think, it would be the turn of the member for Rainy River (Mr. T. P. Reid). I think he wishes to speak.

5 p.m.

If the leader wants to come back with a long series on Suncor surely we should just be reasonable with one another—20 minutes for each or something like that.

Mr. Cassidy: Mr. Chairman, with respect to that, I had two matters to raise. I have raised one and want to raise the other. I suggest we have been under real constraint. I tried to raise these questions under the Treasurer's estimates but the Treasurer had to break off his estimates an hour early. There was no time. It was too limited. This is the only other minister we can test on these questions.

Did the Premier ask McLeod Young Weir or Price Waterhouse whether the Suncor purchase was a good deal?

Mr. Smith: I would like to hear the answer to that too, but my friend the member for Rainy River only has about 10 minutes worth and I gather yours may go on for about an hour. In fairness, perhaps the member for Rainy River could have his say for 10 minutes and then the rest of the time could be used by the member for Ottawa Centre. Would that be all right?

Mr. Cassidy: If he needs 10 or 15 minutes, that would be fine.

Mr. T. P. Reid: Mr. Chairman, I spoke during the estimates of the Ministry of Intergovernmental Affairs about the process in terms of the constitution. I said at that time, and I am sure the Premier has not had time to read all those words of wisdom, that I and some people in the House were concerned about the process. We were concerned about the fact we had to debate, if debate it is, the whole constitutional issue after the fact and during the estimates of the Ministry of Intergovernmental Affairs and the Premier's office.

I have not been here as long as the Premier—my hair is getting the same shade of silver threads amongst the brown—but it seems to me this is the most important thing we have done in the 15 years I have been here, yet there really was not a formal debate in the House either before or after.

As much as I have great affection for and belief in the Premier's abilities, it was somewhat frightening to me—and I do not have a solution—for him, the other Premiers and the Prime Minister to be sitting behind those closed

doors or in the kitchen drawing up the new rules by which we are going to live with one another in Canada.

Maybe there is no other way. Maybe it has to be done with everybody keeping his cards close to his chest until the last chips are bet and then the showdown comes or somebody else reaches into his sleeve and pulls something out. It concerns me that as a responsible democratic Legislature we had no input in the beginning and we are not even going through the formality of approving the actions of the Premier on behalf of the Legislature and the people of Ontario.

The other matter I wish to speak about is the matter of regulation in Ontario. I do not know the exact date but a couple of years ago, with the usual amount of fanfare, the government announced that Mr. Alan Gordon was being appointed to try to deregulate some of the affairs of the province to give a breather to the people and those directly affected by all this over-regulation, as I think it was seen then. There was to be an opportunity to do away with and cut through some of the red tape that has grown up like Topsy.

It is not irrelevant to say that is an area that has not been dealt with in terms of the Legislature or the Law Society of Upper Canada. It is the whole issue of delegated responsibility and administrative tribunals which have grown like Topsy. These all have the authority to pass regulations or to go through pro forma operations which wind up with us having a lot of regulations in the rule book.

In any case, Mr. Gordon, at my request, came to the standing committee on public accounts and gave us a short report on what he was doing and what he hoped to accomplish. I believe it was in the last year. I believe Mr. Gordon to be a very competent and well-meaning individual. We were all impressed with his sincerity and the commitment he brought to that job. It seems, however, having read one or two reports that were available, particularly to the cabinet, which were not private documents, that his attempts at deregulation came to nought.

There was a great deal of non-acceptance by senior civil servants and others in the civil service to take the whole matter of deregulation seriously. Perhaps I might put it this way: there seemed to be a lack of political and administrative will in arriving at some kind of deregulation. While there were one or two very small victories, there was nothing of great import. In fact, the regulations grew apace and very little was cut out.

I notice now that Mr. Alan Gordon has gone on to greater or lesser things, I am not sure which, as Deputy Minister of Government Services, and I am sure he will do an excellent job in that position. But I wonder if the Premier can indicate, and I want to link this to the money in his estimates, what happened to that whole program of deregulation? Is there someone else out there continuing the work that was begun by Mr. Gordon? And what is the Premier's view of the efficacy of deregulation today?

Hon. Mr. Davis: Mr. Chairman, I will deal with the two matters raised by the honourable member in reverse order. Actually, the Minister without Portfolio (Mr. Sterling) could give some more definitive assessment of the progress we are making on deregulation. The minister is dealing with that aspect as well as freedom of information.

Mr. T. P. Reid: I hope he is dealing with it faster than he is dealing with freedom of information.

Hon. Mr. Davis: He is moving with great haste. It is a very complicated area.

Mr. T. P. Reid: Full speed in reverse.

Hon. Mr. Davis: What we have discovered in the area of deregulation is that there has not been resistance per se. The problem has been that when ministries are asked to give this priority, they do it because we ask them to. The difficulty is in getting around to trying to eliminate those regulations that exist.

Human nature being what it is, people tend to want to justify what they are doing in the enforcement of those regulations; I am sure that does not surprise the honourable member. In many cases when it appears on the surface it would be simple to do and everybody would be much happier with it, we find that even some of those affected by deregulation are the ones who are saying the industry or whatever sector it is will not work without it.

In philosophical terms, and I am not passing any judgements today, the honourable member will recall that we did move in an attempt to deregulate, for example, the trucking industry. We will all recall the representations made to all members of the House as to why we should not be doing some of the things we suggested we should be doing.

Mr. T. P. Reid: It was a mistake we all made at the time.

Hon. Mr. Davis: It is one of those areas where, philosophically, most members of the House would support a greater measure of

deregulation. Yet when it gets into the particular application of it, it is not quite as simple as it appears on the surface. I have had meetings with people in the business community. We have asked them, and I expect we will be going back: "Where are those regulations you think are unnecessary? They are red tape, as you describe them. How can we help to expedite the process?"

I used to know something about the planning field and those aspects of applications for zoning et cetera, and I always thought there must be 50 different ways to simplify the process. While I have not practised now for close to 20 years, I find, instead of the process becoming simpler, it is, day by day, becoming more complicated.

Mr. T. P. Reid: And costly.

Hon. Mr. Davis: And costly; there is no question. The honourable member refers to some of the agencies, and all members of this House have to assume some responsibility in this regard. I do not want to introduce another provocative area, but let us take the Environmental Assessment Act, where we provide for environmental assessments and once again establish a new set of regulations, a new set of ground rules, and further add to the complexities of doing business with government or whoever.

5:10 p.m.

I say to the honourable member that I will ask the minister to give him an update as to how he sees it. We have made some progress. I confess that it is not lack of intent or desire but when one gets into specific areas, we find that it is not quite as simple. I extend this invitation to the honourable member: He is very familiar with the workings of government; if he finds an area where he thinks that on objective assessment we should look at the degree of regulation or the kinds of regulation, I can assure him we will be quite prepared to pursue it.

In dealing with the first matter raised, I share the honourable member's points of view on the process. Being at a first ministers' conference and saying I am representing the people of Ontario's views is not the simplest thing in the world, because there are 8.5 million views; yet I do not know how else one does it, I really do not.

Entering into the last meeting, I felt that members of this House, generally speaking, supported the contents of the existing resolution. All members who had spoken on it were in support of the former resolution. Then, of course, it came down to what one did, and I

made certain decisions. Historically, one can always second-guess those decisions, I expect. Yet I am relatively content that if Ontario had not made some of those decisions, perhaps we would not have had the degree of compromise that now exists, and I do not know how else I could have done it.

If I had come back to ask the House for approval, then its own position is sort of front and centre. It makes negotiating very tough, and I have to tell the honourable member that the timing on these matters is very crucial. I ask him to understand that, while agreeing with him that the process is certainly less than perfection. But I honestly do not know how else one could do it.

Mr. T. P. Reid: Mr. Chairman, with your indulgence, I agree with the Premier. I do not have any easy answer; perhaps there is not any, other than the process we have been going through.

I just want to ask one further question on deregulation. Mr. Gordon was seconded particularly to pursue that matter, as I understand it, and to work full-time on a daily basis with the various ministries and the Premier's office, with the weight of that office behind him.

Mr. Gordon is no longer there. The honourable Minister without Portfolio (Mr. Sterling), with a number of other things on his plate, now has charge of that matter. I presume he does not have the time or, and I do not say this unkindly, the knowledge, certainly, of the intricacies of the bureaucracy as Mr. Gordon did.

I presume, therefore, that the minister is doing the same job but in a much lesser way than Mr. Gordon was and that no full-time civil servant of Mr. Gordon's undoubted competence and knowledge is doing the same thing as he was prior to his move to deputy minister.

Hon. Mr. Davis: I think we are approaching it somewhat differently. Mr. Gordon would say there is no one who could do it the way he was doing it; that would be a less than objective point of view.

I will ask the minister to inform the honourable member what the process is so that he will be fully informed. Once again, I extend that invitation, if he could let the minister or me know those areas where, on his extensive research and perusal of existing relations, he feels we might make some alterations.

Mr. T. P. Reid: We need a Freedom of Information Act so I can find out what is really going on.

Hon. Mr. Davis: Oh, no, the regulations are all there.

Mr. Cassidy: Mr. Chairman, I want to ask the Premier about the Suncor deal, which is something that has occupied us for a fair amount of time this fall, in part because of the government's decision to share as little as possible of the information with us.

We had an interesting visit a week and a half or two weeks ago from certain people from the Ontario Energy Corporation, from McLeod Young Weir Limited and from Price Waterhouse Limited. I wanted to ask the Premier some questions about the same area, because I think it is fair to say that he, as the Premier, has to take the responsibility in this case. He served as the lead minister on this deal.

Given the magnitude of it, given the degree to which it represented a shift in the fiscal policy of the government as enunciated over the last several budgets and so on, did the Premier or the government ask either McLeod Young Weir or Price Waterhouse at any time whether, in their professional opinion, this was a good deal for Ontario?

Hon. Mr. Davis: It is very hard to recall all the conversations, Mr. Chairman, but I think I can say without hesitation that question was asked, in almost that language, of the head of MacLeod Young Weir. His answer, from the standpoint of a good business judgement, was "Yes." In terms of the long-term interests of the people of Ontario, the answer will also be "yes."

Mr. Cassidy: That means it was a verbal question that was put to Mr. Kierans of MacLeod Young Weir; is that right? At some point, did McLeod Young Weir submit the opinion in writing that it felt it was a good deal as far as Ontario was concerned?

When the Premier was asking them questions to ascertain their professional opinion of what the price of a block of shares would be, did Ontario also ask them to submit, or study through, a professional opinion and prepare a report as to whether this was a good deal for Ontario?

Hon. Mr. Davis: Without getting into exactly how it was done, the answer to that in general terms would be "Yes."

Mr. Cassidy: I believe it was the Liberals who asked some of the people from McLeod Young Weir whether they would have recommended

this purchase to clients who were buying on margin, as Ontario effectively was doing since all the money for the purchase of the 25 per cent block of shares was coming on margin. The response was, "No, I would not have recommended it on margin." What is different about the Ontario government's buying it that led them to say it was okay for Ontario to buy on margin when a private client should not be so advised?

Hon. Mr. Davis: I cannot answer for what was said at the meeting the group had with the member's caucus or with the Liberal caucus. I was involved in this, quite obviously. I dealt with the head of McLeod Young Weir, who I believe unfortunately was in Newfoundland and so was not there to tell the honourable member what he had conveyed to our government as head of that organization.

I can only tell the honourable member that the answer to whether we asked the two general questions he asked is, very simply, "Yes." The answer on MacLeod Young Weir's part was "Yes."

Mr. Cassidy: Was the Premier presented with a pro forma or some kind of estimate of what the holding costs of the investment would be over the next several years; that is, what it would cost in interest costs for the government of Ontario over and above what was received by Ontario with the best estimates of what the dividends of the corporation would be with the 25 per cent share over the next several years?

Hon. Mr. Davis: There were discussions related to these matters. It is not even totally finalized yet, because the agreements themselves have not been completed. I guess one has to anticipate that five years from now situations may be different. I do not think McLeod Young Weir are in a position to say with total accuracy exactly what the dividend situation may be based on their best judgement and estimates. That is the way most normal commercial transactions take place.

I do not want to get into any emotional debate on this occasion. I was obviously part of the decision-making. I was not involved in the detailed analysis of Price Waterhouse or McLeod Young Weir's—

Mr. Nixon: You read that after you decided.

Hon. Mr. Davis: No. I have to say to the honourable member that there are probably

two or three pages of material I have not totally digested yet. Just two or three; I mean, there are several hundred.

Mr. Philip: Send us over those pages. We will explain them to you.

Hon. Mr. Davis: I ask the member, which pages does he want?

Mr. Philip: How about all of them?

Mr. Cassidy: Actually, this is not the line of questioning I wanted to pursue, but the Premier raises the fact there are several hundred pages or, according to my colleague the member for York South (Mr. MacDonald), bushel loads of information about this in the Ministry of Energy.

Given that we have now been told that 75 per cent of the information could be released without being sensitive with respect to the company's desire for confidentiality, is the Premier, who seemed to be weakening or shifting his position on this a while ago, prepared to undertake that the 75 per cent of nonsensitive information will be shared with the Legislature and with the opposition parties?

Second, is the Premier now prepared to agree that the government will co-operate in ensuring there is a study of the Suncor purchase by a committee of this Legislature during the break after Christmas?

5:20 p.m.

Hon. Mr. Davis: I have decided I must be very careful in answering the honourable member. He seems to be able to read things into what I say that I have not said. I do not recall my saying the things he alleges in his questions I said.

Mr. Cassidy: Some of my colleagues were perhaps more optimistic in their approach to the Premier than I was. I did not really see it, but they detected some change.

Hon. Mr. Davis: Which colleagues, when?

Mr. Cassidy: Some of my best-advised and most able colleagues felt that after many long years—

Hon. Mr. Davis: All along the benches there.

Mr. Cassidy: May I be specific? Will the government be prepared to see that a legislative committee is enabled to study the Suncor purchase after the Christmas break, in January and February when this House is not sitting and it will clearly not interfere with the work of the Legislature? Despite the two leadership conventions, I am sure sufficient members can be found from the three parties to study the implications of this deal and the advantages and disadvantages of the costs and benefits.

Hon. Mr. Davis: I cannot give the honourable member any commitment that we will structure such a committee. I am always open to constructive suggestions. I do not recall the Minister of Energy (Mr. Welch) raising this with me, but on this occasion I cannot say we will.

Mr. Cassidy: I am sorry to hear that. That leaves it to me to carry out most of the work that might be gone through in that committee. I regret that, because I think it should be done by a committee. I do not think \$650 million of public funds should be spent with so little information and such a fragmentary and not particularly adequate approach to information.

God knows what happened in the Conservative caucus. It was an extremely unusual way of informing the Legislature by having government advisers sent around to the various caucuses. Even on a temporary basis we welcomed the Minister of Energy and suggested that, were he to change his principles a bit or at least his political allegiance, he might be welcome to stay in our caucus.

None the less, there is no question that a committee that has the ability to research, to work overtime and to call witnesses and so on is a more effective means of inquiring into something as important as the Suncor purchase than an hour and a half in a caucus.

Perhaps I can go to one of the points raised in the caucus when the advisers were with us. They simplified the issue by talking in terms of shares. If you buy a \$50 share and borrow at today's interest rates, which even at the preferred rate the government gets would put you in a ball park of 15, 16 or 17 per cent, you have to pay about \$8 per annum per share in interest costs for each Suncor share being purchased by Ontario. According to the adviser from Price Waterhouse, the dividends would be of the order of \$1.50 on each of those shares, leaving \$6.50. If you put it into overall terms, you have interest costs of something more than \$100 million per year on the purchase of shares but dividends coming in of about \$20 million, leaving a gap of \$80 million in the first year. That is a lot of money.

I want to ask the Premier if that estimate is accurate. If it is not, can he give me an indication of what the holding cost will be between what we have to pay in interest and what we expect to get in dividends on the Suncor purchase in the first year?

Hon. Mr. Davis: That is the kind of question that might properly be put on the Order Paper, and I would be delighted to get the information

for the honourable member. I do not pretend to have all the detailed information with respect to the Suncor purchase, but that is the kind of question that deserves an answer, and I would be delighted to get the best estimate for the member.

I should also point out once again, not being an expert in commercial transactions, that part of the rationale for making a decision is one's expectation of the increase in the value of the asset. Without stretching the imagination too far, I think I can suggest that while there are interest payments, the capital value of that asset will also increase. If one is a shareholder, while one has the interest payments, one's dividend payments may or may not offset it, but the chances are the value of one's shareholdings in terms related to the cost of the asset or the value of the asset also probably will appreciate.

Mr. Stokes: Like Syncrude, and you dumped it.

Hon. Mr. Davis: That is a very good parallel.

Mr. Cassidy: Syncrude? Is the Premier saying, then, that Ontario intends to sell its shares in Suncor at some given point in time in hopes of being able, through capital gain, to recoup whatever it may have lost in terms of the interest costs of this 25 per cent holding?

Hon. Mr. Davis: I am sorry; we are not anticipating selling our interests in Suncor, certainly not as soon as we sold the ones in Syncrude. No, we did not invest in that for that purpose.

Mr. Cassidy: Given that the Premier has a responsibility for making sure that the money is there and so on, can he say whether he was presented with estimates of what the net holding cost to the province would be in the first 10 years of the Suncor holding and what that would mean in additional costs on top of the original \$650-million loan that would be coming to finance the Suncor purchase?

Hon. Mr. Davis: There were some estimates as to the holding costs. There were estimates as to the revenue, or potential revenue or dividend flow. I am making a note of these questions. To the extent I can give the member that information, I will be delighted to share it with him. I assume this is the kind of information he got from those who visited his caucus, but I will make sure that he gets it.

Mr. Cassidy: I am afraid the Premier has access to information in a way that is denied to us on this side of the House. We were not able to get those figures. I did some working out, just on

the back of an envelope the other day, taking those figures of \$20 million in the first year in terms of dividends. I worked it out that after 11 years, if we are lucky, Ontario would be back to an investment cost of \$650 million. It would have gone up to close to \$1 billion at one point in terms of the accumulated cost of holding that investment. That is assuming the dividends from Suncor rose by \$20 million a year.

In other words, the dividends would have to go from \$20 million to \$200 million at the end of 10 years for Ontario's investment, or the cost we have dumped into it, just to stay at \$650 million.

Perhaps the Premier can say how deep we will go, in terms of just the initial cost of the Suncor purchase plus the additional costs of holding, before the dividends even begin to cover the interest costs of holding the investment.

Hon. Mr. Davis: The estimates from those who advise the government were that the dividend flow—because there has not been a tradition of dividends within Suncor, as the honourable member understands—with the adjustment in price under the new agreement between the government of Canada and the government of Alberta, will start much earlier than would otherwise have been the case. I cannot tell him what it would have been if there had not been an adjusted agreement, because we were not in the business of trying to get that sort of information.

I will make a note of this and, on the best advice that I can get, I will impart that information to the member.

Mr. Cassidy: In September 1981, the agreement between the federal government and Alberta gave to Suncor, which had been, poor dears, discriminated against in reference to Syncrude, a new oil reference price. What this meant was that, effective January 1982, the new price would be \$45.92 per barrel for the new oil, and that would be on all new oil; and it would also apply to old oil, except that there would be some difference in terms of the tax treatment of the old oil from the new oil.

It is very complicated. I have never spent much time trying to learn all the intricacies of the oil industry, but I am sure the Premier will agree that \$45.92 is an artificial price. It is not artificial in the sense that it is not related to something outside, because it apparently is the current world price, but it is an artificial price in the sense that we have a managed price in Canada and that this price is substantially in

excess of the managed price that was also agreed to between the federal government and Alberta.

5:30 p.m.

What are the political risks, in the government's opinion, of something coming unstuck in terms of the forecasts of what Suncor's future profitability might be? I cite two or three instances. One might be that there will be a seriously lower rate of growth in the world oil price than is forecast. In other words, instead of going up to \$95 or \$100 some time in the early 1990s, perhaps the world oil price will stay stodgy and go up to only \$60 or \$65 by the early 1990s. There was some evidence for that just in the course of the last weekend, when the Organization of Petroleum Exporting Countries decided to lower its prices by 50 cents or \$1, rather than moving them up, to take account of pricing decisions made by the largest partner.

What are the risks in terms of any adequate return to Ontario, whether in terms of dividends or in terms of the appreciation of the value of the assets—the oil in the ground and that kind of thing—if the world oil price does not behave as is expected in the most optimistic scenarios? How is that presented to the Premier, and what chance has that risk of turning out to be a really bum investment in terms of money? What chance of that risk does the Premier understand there to be?

Hon. Mr. Davis: Quite obviously, if it turned out to be, using his phraseology, a very bum investment, it would be only on the basis that not only would world prices not go up but also that world prices would decrease. If that were to happen, that would be tremendous news, and I think the taxpayers of this province would be delighted to see that happen even with the investment of \$650 million, if their energy bills were to be decreased by the decrease in energy prices.

The member knows that is not going to happen; I know that is not going to happen. I would not say I would be averse to it, but it is not dealing with reality, unfortunately.

Mr. Cassidy: The Premier knows the profits of Suncor have taken a nosedive this year. They took a nosedive because of pricing, because the Alberta oil agreement was delayed, because of delays in terms of expansion of the plant and then because of difficulties in phasing in the new plant and getting it back up after the downtime for overhaul and so on that took place, I believe, in the course of the early summer.

How has the Premier calculated in the risks of that happening again, of a fire, for example, or some other natural accident that could put out of commission a large portion of the Suncor plant and that somehow interfering with the plant, which could be, as it proved in 1980, tremendously profitable but which even at the profitability rates that we achieved in 1980—and that was for only one year—does not produce anywhere approaching the amount of revenue that will be required to give Ontario the dividend income that was forecast so optimistically by ministers of the crown at the time the deal was announced?

Hon. Mr. Davis: I have to acknowledge that investments of this nature, made by government, do not have the same measure of non-risk as if we had invested that money in Canada savings bonds.

I am not going to argue that with the member but, heavens above, his is the party—and I am not going to become provocative—that would have us invest in Inco without any prerequisite with respect to the nickel markets, which he can acknowledge fluctuate to a far greater extent than does energy pricing or the oil markets. Here he is all of a sudden, once having spoken in favour of not just a modest acquisition but of nationalization of certain resource sector industries—where he has never put on as a precondition all of the things he is now suggesting we should guarantee the taxpayers about Suncor.

We do not go into these investments on the basis of expecting the plant in Alberta to go up in flames tomorrow. We do not expect that. I did not hear him say when he was advocating nationalization of the resource sector that he would take out an insurance policy with Lloyds of London that nothing would happen to the smelter at Inco, that there could not be some natural disaster. We do not make business judgements based on the ultimate extreme. This, in our view, in the recommendations made to us, is a good business investment.

Mr. Stokes: Have you never heard of indigenous resources?

Hon. Mr. Davis: I say to the member for Lake Nipigon, his leader is not making the difference between indigenous and nonindigenous at all. I think I know where his future career is. He is going to decide to become an analyst on Bay Street, advising members of the New Democratic Party which investment portfolios they should maintain. They will be totally different

from the ones he was prepared to espouse politically. I think that is a fair assessment. It is not a bad career for the member. He should think about it.

Mr. Cassidy: I will have you know, Mr. Chairman, my investment career included a very important investment in Imperial Investments, which was an investment club. I cashed that in in order to pay for the birth of my third son and cleared off the hospital bills and paid the expenses. It was the best investment I ever made in my life.

Hon. Mr. Davis: Wait until you have five.

Mr. Cassidy: Three are all I have.

Hon. Mr. Davis: Wait until you get them married.

Mr. Cassidy: Yes, I was worried about that.

I want to ask the Premier, since he talks about public ownership, whether the government is now in favour of public ownership of resources. Is that why it has gone into the Suncor deal?

Hon. Mr. Davis: I am intrigued by the line of questioning. I think it is very fair to ask some of the questions that have been asked with respect to financing, et cetera. That is very proper. The member is now trying to get me to take a political position so that he can then say the Progressive Conservative government has become supportive of public ownership. We feel there is a role on some occasions for government support or government investment. If he is going to try to persuade me we should have taken 51 per cent, he is going to fail.

Mr. Cassidy: In other words, no. I think that is the short version of that answer.

Could the Premier then say what are the specific benefits in terms of jobs, research and development and additional purchases that would not otherwise have been made of refinery equipment or of other kinds of exploitation equipment in Ontario that will flow from Ontario's taking the 25 per cent stake in Suncor? What commitments did the government ask Suncor to make in terms of assuring future benefits to Ontario in return for Ontario becoming a minority shareholder?

Hon. Mr. Davis: Mr. Chairman, I think the honourable member has already asked this question and had it very well answered by the Minister of Energy. I sat here and listened to it.

Mr. Cassidy: Perhaps the Premier could put it in his own words. I was told in vast terms about how this was going to do fabulous things for the country and for Ontario, but I was not told in

specific terms what it would mean for Ontario, particularly since part of the art of government—and I know this, I have been around for some time; I may even make a career of this, if I ever leave politics—is making decisions about the sharing out of scarce resources.

The Premier knows, and he has lectured me from time to time about it, that people do not like to pay the taxes they have to pay to this government, to the federal government or to the municipalities. They look to their various levels of government to be wise and judicious in the use of that money.

There are always more demands on government than government is usually in a position to respond to. I have been lectured about that by the Minister of Consumer and Commercial Relations (Mr. Walker), the Minister of Health (Mr. Timbrell), the former Treasurer, Mr. McKeough, the present Treasurer (Mr. F. S. Miller), the Premier and many other people in the past and I knew it anyway. Therefore, those of us who are in government, who aspire or who have aspired to take over government, have to be aware of the conflicting demands there are and look at the best use of the resources available.

Those resources are human, and include such intangibles as political leadership. If the Minister of Industry and Tourism (Mr. Grossman) goes off and leads a trade mission to Australia, for example, that is time when he is not available, say, to help to restructure a business here. On the other hand, it may be that he can open doors in Australia for Ontario exporters that nobody else can open. I understand that kind of thing.

My question then is: There were other possible uses for \$650 million. My friends and I have suggested that perhaps some of the resources of Ontario might have been a subject of the Ontario government's interests rather than just resources in western Canada; or perhaps, instead of looking for a way of having a quarter of a company which refines 90,000 barrels of oil a day in Ontario, we might have thought of finding ways of investing in energy saving and conservation which could have saved us the need for 90,000 barrels of oil a day. What alternative uses of the \$650 million were looked into by the government as it reached the decision about buying the Suncor shares?

Hon. Mr. Davis: I think the honourable member is really quite well aware that the government does not sit down when it is making a decision of this nature and say, five years from

now there may be a particular project that has validity that we would like to assist or to invest in. If that situation emerges, then we will assess it at that time.

5:40 p.m.

It was not a question of trading off a particular industrial or economic activity against Suncor. That is not the way the system works. It is not the way the process works. It certainly is not the way the philosophy of the member's party works. I have to tell him I find this sort of discussion very intriguing after spending years in this House having the member tell us the number of industries we should move into and acquire, nationalize or do whatever with, without ever indicating how he would finance it. At least we know how we are going to finance this particular investment.

I would point out to the honourable member that the Minister of Energy did deal with this quite well. We are not saying for a moment that certain problems are not inherent in this type of policy move. But it is a clear indication that we are in support of the national energy program as it relates to Canadianization, not as it relates to the philosophical concept expressed by some as nationalization, which the member's party, incidentally, would support.

We make it quite clear that we fully anticipate that Canadian ownership of the 26 per cent will occur. Quite obviously, the arrangement in the long-term is predicated upon that happening. Quite obviously, it has to be Canadian participation so that Suncor will be eligible for federal incentives.

I think it is fair to state that I think our decision on Syncrude, for instance, was not made on the basis, as the member's colleague would describe it, of it being an Ontario indigenous resource. I have to say to the honourable member that oil is an indigenous resource. It just happens to be in another part of Canada and not in Ontario. But if that had been the criterion we would not have invested in Syncrude.

Mr. Stokes: I am thinking of that as opposed to peat. ~

Hon. Mr. Davis: As opposed to peat? I do not think one should write off the use of peat, nor shall we. But I do not think it was the question of trading one against the other at all. That was not the intent. We did not sit down and say we will be interested in the acquisition of Suncor and because of that we will not proceed with

hydrogen, or whatever. It does not preclude those possibilities whatsoever. It was not an either-or judgement.

Mr. Cassidy: That is not the way I understood the government was meant to work these days, particularly at a time when, for example, the federal government under the Conservatives, or perhaps prior to them, introduced a whole system of spending envelopes and said, "Look, if you want to do something new in this particular area, for example, the energy and resource development area, then you have to find the money by taking something else out."

In this case, the Minister of Energy's budget was running at \$100 million or so a year and is suddenly going to be boosted by an additional \$80 million in holding costs, to an additional \$650 million, however one wants to count it. I am not sure where that particular money is being shifted from and, in particular, where the holding costs are going to be shifted from.

Since the Premier mentioned the Minister of Energy, I might mention the Treasurer who, as the Premier knows, was slightly less enthusiastic about this deal than either the Minister of Industry and Tourism or the Minister of Energy.

Back in October the Treasurer said: "When the details are finalized, I believe the member will find the moneys required to handle the \$325 million to be borrowed from Suncor may well be generated hopefully by dividends or cash bonds over a 10-year period, and that will be finalized later." Can the Premier give us some indication whether that is the case? Can the Premier explain comments also made by the Treasurer when he said it was on the basis of the information they had received from Suncor that he was able to indicate that he felt the payment terms would be self-financing? What does that mean?

Hon. Mr. Davis: I would be delighted to get the Treasurer to give the member an interpretation, probably on Thursday. I have always learned not to try to interpret others. I will get my own information for him, but I will get the Treasurer to refine or define it for him so he will understand it.

Mr. Cassidy: Perhaps the Premier could say what information he is prepared to provide. If I come back here at eight o'clock with a series of specific questions—I will not put a number on it right now—will he undertake to table responses in this Legislature on Tuesday or Wednesday of this week, in order that we may have them? Up until now, the government has refused to

respond to any of those questions, and has not provided that kind of detailed information, claiming it was confidential and it was bound by its agreement with Suncor. Has he changed that position?

Hon. Mr. Davis: Here he goes again. He never learns. He is always worried whether what I said changes my position. As the policy changes, my mind changes. Why does the member not simply just deal with the "Me Tarzan, you Jane," sort of language that I can understand? Please, just listen to what I say, and I will say it as simply as I can.

No one is attempting to keep any information from the member in terms of the information we have that is not covered by the letter of confidentiality. I would be delighted to share whatever we can. If he has a series of questions, do not spend the whole supper hour getting indigestion because I cannot guarantee I will get the answers for him by tomorrow or Wednesday. Any reasonable question that is not a matter of confidentiality I will be delighted to try to get the information for him. He should not use his supper hour doing it but should do it tomorrow morning, get it to me, not make a big thing of it, and I will try to get him as much information as I can.

Mr. Cassidy: The Premier speaks in such bland and comforting tones—but I do point out to him that everything we have sought we have been told we cannot have because of the strictures of confidentiality. The Premier is not subject to that. He can snap his fingers and get it. We cannot. He is meant to be accountable but accountability has been a farce in this question because the opposition parties have not been able to get the information. My friend the member for York South (Mr. MacDonald) has sought to get the generalized principle of government intervention, the freedom of information, accepted. The Premier dips and he dives, he bobs and weaves, and his ministers do the same kind of thing, and we find that too gets blocked.

It is with regret I say that to the Premier. It might come as a revelation to him, but on our side of the House we do have some difficulties in extracting information from other members of the government, and when it comes to the Premier we have particular difficulties because if we do discover a nugget of something that is new, it is so surrounded by convolution, so embroiled in fanciful language and so on, that we do not even know whether we have discovered it or not.

That said, I would like to go on and ask a few more questions.

Mr. Chairman: May I speak a moment to the honourable members? In keeping with the tradition of having a free-flowing discussion, the member for Halton-Burlington (Mr. J. A. Reed) had indicated he would use about 15 minutes, and the member's time has already been three quarters of an hour.

Mr. Cassidy: In that case, if the member for Halton-Burlington would like to take part for a few minutes, I would be happy to let him do so. I know we will have some time after the supper hour when these matters can be resumed.

Mr. J. A. Reed: Mr. Chairman, I will try to be as concise as I can. I think the matter of the Premier's involvement in the decision to purchase 25 per cent of Suncor has been aired rather thoroughly. It is interesting to watch the NDP now do a handspring and throw themselves into reverse while they are going full tilt in the other direction.

Mr. Nixon: Flip-flop, I think it is called.

Mr. J. A. Reed: Yes, I can remember when we used to be accused of flip-flopping. I have not had the pleasure of debating with the Premier since the Premier's last estimates and at that time I rose to thank him for the efforts he made in propelling me into politics and propelling me into opposition. I think he has since acknowledged it may have been one of the mistakes he has made, no question about that. I want him to know for some time to come the ghost of Norval school will continue to haunt the Tory upper reaches.

Hon. Mr. Davis: If our candidate had had another two weeks, the member for Halton-Burlington would have been in trouble.

Mr. J. A. Reed: Yes, but the Conservative candidate would have needed another two weeks by himself. When we are running in an election campaign, all the candidates—

Hon. Mr. Davis: By herself.

Mr. J. A. Reed: Oh, he is referring to the last election, to number three.

Hon. Mr. Davis: The lady who nearly beat you.

Mr. J. A. Reed: Who knows what would have happened?

Hon. Mr. Davis: But we saw the figures day after day.

Mr. J. A. Reed: But she would have had to have been able to run in the campaign all by herself. There are other candidates who presumed to want the same job.

I am not going to belabour Suncor except to

state categorically that my party has been opposed to it. We feel it was a mistake. Rightly or wrongly, we feel it was—

Hon. Mr. Davis: Sheila is not totally opposed. I just thought I would tell you.

5:50 p.m.

Mr. J. A. Reed: He will find there is a unanimous feeling in our caucus that spending \$650 million that does nothing is an error. As the days unfold, it would appear the situation is probably not even as good as was expressed in the initial press conferences when the Premier said all the money would be leaving Canada and going to the United States for that purchase and when he said no new industry would be created. I was there to hear his words. That has created some annoyance.

Mr. Nixon: We have something worse than that.

Mr. J. A. Reed: My House leader wants me to get to the point and I guess we should, because time is flying.

I would like to deal with another area of energy in which the Premier's office had a direct involvement. It goes back to the uranium contracts. I wonder if the Premier remembers it. My party opposed those contracts at the time. One of the reasons we were in opposition was our concern about the supply of uranium.

The information that was being given to Hydro, and I was at the select committee on Hydro affairs when it was being given, was we did not have any more. The exploration for uranium had been done in Canada, there was no more and we had better grab it now because this was the last chance off the diving board. The Premier will remember the advice being given to Hydro in that regard.

It was interesting that, at the same time, reports were beginning to come from all over the world, including other parts of Canada, about major uranium discoveries. One of the concerns we expressed at the select committee was that the world price for uranium might not be as firm as it was at the time those deals were made.

There was some \$350 million in front money put up as well in the case of the Denison Mines contract and there was \$180 million put up in front money in the case of Preston Mines. We should not lose sight of the fact it was a take or pay situation. There was an extended time at which Ontario Hydro was obliged to buy at a particular price. The time varied with each of the two companies.

Looking back on it, and understanding the world price of uranium is now around the \$20 or \$23 mark, something like that, the Premier will acknowledge—

Mr. Nixon: On the other hand.

Hon. Mr. Davis: On the other hand, two years from now—

Mr. Nixon: That's not what I had in mind. Come on, Julian.

Mr. J. A. Reed: Let us understand the demand for electric power has declined since that time, when we were being urged by Ontario Hydro to accept this six or seven per cent. It was only after intense scrutiny in the select committee that they began reluctantly to restate their prospects.

I wonder if the Premier could tell us tonight if he knows what price Hydro will be paying for the uranium when it starts to take it on those contracts?

Hon. Mr. Davis: Mr. Chairman, I would be delighted to get as much information as I can. That would be a more appropriate question for the Minister of Energy. It really does not fall within my estimates. I want to be as helpful as I can. It may take me more than 24 hours to get it, but I shall try to get as much as I can.

I should point out to the honourable member, I recall the committee discussions—not because I was not at them, but I recall the debate. I look at his House leader. Being a layman, one listens to people's judgements. I just remind his House leader that the person advising Hydro on that commercial transaction was one of the most able legal counsel available anywhere in Toronto or Ontario. Ask him who it was.

Mr. J. A. Reed: No, it was not the legal counsel I was referring to. It was actually the consultant who was asked to advise Hydro about the availability of uranium. Would it surprise the Premier if I suggested to him that the price Hydro will have to pay for the uranium on that deal will be \$50 a pound? Would that surprise the Premier?

Hon. Mr. Davis: Is that a question?

Mr. J. A. Reed: Yes.

Hon. Mr. Davis: Sit down and I will answer it.

Mr. J. A. Reed: All right.

Hon. Mr. Davis: Mr. Chairman, I have learned never to be surprised at all. Can I remind the member of something else? Does he recall the calculations as to the cost of the production of a kilowatt of electrical energy by

uranium vis-à-vis other sources of energy, and what the percentage is of the fuel cost of the total generation?

Does he fully understand that one thing this gives us is amazing security of supply compared to any other energy source and that, while one can argue the value of a pound of uranium in 1981-1999, the reality is that we have an assured supply from an indigenous resource, which means that Ontario Hydro is going to be able to produce electrical energy, in spite of his opposition, at rates well below that of our competitors south of the line?

Mr. J. A. Reed: That is quite an interesting harangue. I remember the speech the Premier made the day after the signing of the contract when he said: "How do you want your electricity? Do you want it at \$7 billion for uranium?" I remember the figures. He said: "Do you want it at \$80 billion for coal. Or do you want it at \$120 billion for oil?" It was rather ludicrous, but I would ask the Premier—

Hon. Mr. Davis: And you asked the same question today.

Mr. J. A. Reed: And you are answering it the same way. But I would ask the Premier if he understands the difference—maybe he does not—between \$3.5 billion and \$7 billion. I am being, if you will pardon the expression, Mr. Chairman, very conservative. We are going to pay \$50 for \$20 uranium and that \$50 represented the \$7 billion deal; the world market is now 20 bucks, and it looks like it is going down.

I wonder if the Premier, in the three minutes he has left, would tell us in the light of all the things that have happened since that time—the admission of a cartel existing, charges being laid and so on, and even the Windsor Hydro utility and the chamber of commerce all supporting the idea of a review of the contracts—whether here today he would say he would be willing to have those contracts re-examined with a view to being renegotiated so that we could save at least half of that \$7 billion?

Hon. Mr. Davis: Mr. Chairman, I don't recall—you were much closer to the contract than I was—that they provide for a provision for renegotiation. I would only point out to the honourable member that one has to be very careful not to take today's current market conditions as being long-term market conditions. The member cannot predict with great accuracy what market conditions will be two, three or four years down the road. I say that with

respect. I know he has great ability but I do not think he is really able to make that sort of prediction and no one else can.

Mr. Nixon: He was ahead of you on this one.

Hon. Mr. Davis: Oh, never. Listen, in relative terms at the time the decision was made everybody who was advising on it said "Yes," including that gentleman I referred to.

Mr. Nixon: The cost plus is fifty bucks a pound now.

Mr. J. A. Reed: What concerns me is that the Premier did not appear to understand that at the time Cluff Lake was discovered—a deposit so rich they still have to design shields around the men who go in and mine it—northern Australia found at that time, three metres underground, a large open-pit potential deposit that is so rich it makes this thing look absolutely like weak tea, and in Botswana another discovery was announced at that time.

Surely the Premier knew those discoveries were being made, and surely the Premier should have known that Ontario itself has not been thoroughly explored for uranium. He should understand some of the techniques involved in mining exploration and he would know that Ontario has been flown over with a 20-kilometre grid. It is being flown over now with a five-kilometre grid, but the only way one can truly find uranium is by going in on the ground. There may be a great deal more of it, if proper exploration was done right here in terms of developing this indigenous resource.

I suggest that decision will have cost the people of this province at least \$3.5 billion.

Mr. Chairman: Would the Premier like a final say?

Hon. Mr. Davis: Just a very brief word. I do not think Ontario Hydro should be dependent on uranium resources either from Australia, Botswana or offshore, if we can assure security of supply here.

Mr. J. A. Reed: What are they going to do about the shortfall?

Hon. Mr. Davis: If we could buy uranium from Saskatchewan, I would be delighted. That is the kind of thing I think we should be doing. I am not sure exactly what the policy of the government of Saskatchewan may be with respect to that, but I have to tell him this—

Mr. J. A. Reed: I wonder what you'll pay for it

Hon. Mr. Davis: —I know a little bit about the policy in Australia and if we had potential contracts there I could not guarantee in fact

that we would be able to get the resource. We might not get it moved off the docks. In fact, if we were shipping it through Melbourne we might not even get it to the docks. I have to tell him, it is still a sensitive resource material. We have had an acceptance here. It is indigenous and I must say I do not want to see Ontario Hydro dependent on offshore if we can solve the problem here.

Mr. J. A. Reed: Even at a premium of about \$3.5 billion?

Mr. Nixon: Why should we give Denison twice what it's worth?

Mr. J. A. Reed: They are laughing all the way to the bank.

The House recessed at 6:01 p.m.

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Legislature of Ontario

Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Monday, December 14, 1981

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Monday, December 14, 1981

The House resumed at 8:02 p.m.

House in committee of supply.

ESTIMATES, OFFICE OF THE PREMIER AND CABINET OFFICE (continued)

On vote 201, Office of the Premier program, and vote 301, Cabinet Office program:

Mr. Cassidy: Mr. Chairman, I have a slightly long series of questions. I do not get the chance to put these to the Premier (Mr. Davis) from time to time. He seems to take three or four a day and that is all. He asked me for some questions and, rather than putting them into writing, I thought I might put them on the record. If he can answer a few of them now, that is fine.

In view of the pledge of openness that he gave prior to six o'clock—I trust I have not misinterpreted what he said—I would expect full, frank and complete answers to the questions, the requests for answers to which we have been totally frustrated in over the course of the last few months. Even the Premier will understand that sentence, because the grammar was taken directly from the model he has been providing for this province for the last few years.

The questions go like this:

What data does the Premier have to support the contention, which was made at the time of the Suncor purchase, that there will be a 15 per cent return on investment? How much of this is it anticipated will be in earnings, how much in terms of expected capital, appreciation of the assets or of the oil in the ground?

What profit projections does the Premier have for Suncor, and what would be the indicated dividends at these profit levels?

Does the government expect that Suncor's dividend policy will correspond to that of the industry, as suggested by the Price Waterhouse expert, Mr. Brown?

Can the government provide, year by year, the estimated profit figures for Suncor and what proportion it expects to be paid out in dividends?

I bear in mind that while Suncor had an excellent profit in 1980, a very high profit compared with that of any previous year, it has plummeted to almost zero over two or three of

the quarters of this year, and has only just begun to recover.

What impact will the national energy program have on the profits of Suncor once the company is Canadianized? What will be the impact of the national energy program on the profits of Suncor prior to the company becoming Canadianized, since that is a process that may not take place for several years?

Has the government any commitments from the parent American company with respect to what dividend policy it proposes to carry out for Suncor? Will there be any change in the dividend policy or the no-dividend policy which has been followed in the past? What are those commitments?

The profits of Suncor are most directly related to the price level set for synthetic crude. What are the estimates of price for synthetic crude which the government set out in deciding whether to take on Suncor?

If Suncor makes the profits anticipated, plus pays the dividends that are anticipated, will Sun Company in the United States not be better off than it was before, despite giving up 25 per cent of the company to the Ontario government? Who gets the better part of the deal, Sun Company or the Ontario government? Why?

It is proposed to set up a sidecar company for exploration which would have to be 75 per cent Canadian-owned to get the full benefits under the national energy program. What cash commitment will the Ontario Energy Corporation have to make to this company? What commitments will Sun make? Are those commitments laid down in an agreement as a consequence, or a result, or in connection with the sale?

My next question—I forget whether it is the ninth or tenth.

Hon. Mr. Davis: It does not matter.

Mr. Cassidy: It does not matter? I hope the Premier is taking this seriously. I do not entirely expect him to, because he has not done so since October 13 up until now. But these were a few things that happened to be on our minds, so much so I did not have to go out and prepare these questions. I was able to have supper with my family and take my youngest son and his

nephew to the hockey rink before coming back to join the Premier here.

Hon. Mr. Davis: Your youngest son and his nephew?

Mr. Cassidy: No. It is my nephew, actually.

Hon. Mr. Davis: That is what you said.

Mr. Cassidy: I meant his cousin.

Hon. Mr. Davis: That's your problem. You often say things you do not mean.

Mr. Cassidy: That is very seldom true, as a matter of fact.

Hon. Mr. Davis: And he is doing it.

Mr. Cassidy: The Premier may suffer from that. He does not suffer from foot in mouth, but he certainly suffers from a certain dissimulation from time to time. Can I say that the Premier dissembles? Anyway, my nephew has been in England for the past five years and has only just arrived back with us.

This is important, I say to the Premier. My nephew only just arrived back in Canada a week ago Saturday. I am just getting used to the family relationship of having a new relative around the house for a few days, and a great pleasure it is.

Within what kind of time frame is it assumed the sidecar company will begin to be profitable, and what is the basis for that data? How much will the sidecar company be expected to invest in James Bay, in Hudson's Bay or in other territories either on Ontario soil or contiguous to Ontario? Did the government study the possibilities of having the Ontario Energy Corporation enter into that exploration in or around Ontario without the need to buy Suncor?

What proportion of the equipment purchases for the retooling of the Sarnia refinery will be made in Canada? What proportion will be made in Ontario? What agreements, if any, have been made with Sun about where the equipment purchases will be made? What proportion of the equipment required for the tar sands plant expansion will be placed in Ontario?

What commitments—I think this is number 14—has Sun or Suncor made to Ontario, or is it now anticipated Suncor will make, with respect to job creation in Ontario, with respect to the increase, if any, of research and development in Ontario, with respect to commitments regarding the purchase of equipment and supplies in Ontario, and with respect to future exploration for oil, gas or minerals in Ontario? All of the above are in connection with the Ontario purchase of 25 per cent of Suncor.

Was the government aware that Ontario would be considered to be a passive partner as far as Sun Company is concerned? They made that very clear, as has the president of Suncor. Why was the government prepared to accept that position? Has it studied the advantages and disadvantages of being a passive, minority partner as opposed to control, and will it table any studies it has made in that direction?

8:10 p.m.

Finally, and this is the last question I have, at least on this list. I will give the Premier some more, though, if he likes; I will work on a few while we are thinking about the response here. Will the government indicate whether a price has been suggested or what agreements there are that touch on any price that would be paid for the further shares of Suncor on which Ontario has got an option, the two further blocks of 13 per cent, if Ontario chooses to take that option in the future? What specific agreements exist for the further purchase of shares?

I expect the Premier will likely tell me that everything I have asked is confidential. I specifically want to pursue one or two of those questions, but perhaps the Premier can exist—I mean perhaps he can indicate; the Premier does exist. I sometimes feel unhappy about it, but I have to deal with this reality, this adamant blue reality over on that side of the floor.

Perhaps the Premier can indicate whether he believes he will be able either to table answers to those questions or else to file answers with the Clerk and make them public, perhaps towards the end of this month or in early January, or whether he intends to hide behind the cloak of confidentiality and not answer these questions, as he and his government have done for everything else asked about Suncor.

Hon. Mr. Davis: Mr. Chairman, I assure the honourable member that anything we are able to tell him related to those questions, we shall do.

Mr. Cassidy: Can the Premier be a shade more explicit? He indicated before supper that he was prepared to reveal all. Will the Premier, now that he is obviously qualifying that commitment made in a certain Christmas generosity of spirit that clearly did not survive the supper hour, indicate whether he is prepared to attempt to provide answers to the vast bulk of those questions?

Hon. Mr. Davis: I will repeat what I said before the supper hour. Any information that is not covered by the agreement on confidentiality I will be delighted to share.

Mr. Cassidy: Has the Premier discussed in his meetings with his Minister of Energy and the people from the Ontario Energy Corporation the nature of the confidentiality agreement and whether it would be possible to amend it? Or has he had the temerity to call up the president of Suncor or the principals of Sun Oil and ask them whether, now that they are dealing with a public shareholder, a government shareholder, they would be prepared to perhaps share a bit of that information with the public—for example, the amount of information that would have to be shared and made public according to the stock exchange rules if a major acquisition were made in the public share market, in which case there would have to be a great deal of it revealed that has been kept concealed in this case?

Hon. Mr. Davis: I reiterate once again what I said before dinner. Any matters not covered under the commitment of confidentiality, we are quite anxious to share. I might say, with respect, that I think the Minister of Energy (Mr. Welch) had asked for specific questions. The honourable member may have already given the Minister of Energy that list. It is relatively new to me, but perhaps he has already given it to him. If so, I will be able to discuss it with him more expeditiously. I assume I will not have to wait for the Instant Hansard and the member will send me that list over before too many minutes go by and we will take a look at it.

Mr. Cassidy: Does the Premier really want me to go and excerpt this from other things? I prefer that he takes it from Instant Hansard, simply because there were other questions on my list that I had the sense of restraint not to ask in addition. If he would like me to add a few questions to those I have already asked, I would not hesitate.

Hon. Mr. Davis: Never let it be said that I would limit the member.

Mr. Cassidy: The fact is that the confidentiality is being used to cloak this particular deal and therefore to make it impossible for anyone, apart from four ministers, to actually judge whether it is a good deal or not. Since the jury there was divided three to one, one has to question the basis on which this was entered into.

Perhaps I could ask this of the Premier: Who in government, among his officials or the officials of the energy corporation, was asked to judge whether and to what degree this was a good deal? Who provided that advice to the committee of four ministers who eventually said, "We are going to do it"?

Hon. Mr. Davis: I think I would phrase it this way: It was a collective or co-operative decision.

Mr. Cassidy: Specifically, was there a project team or a study group in the Ontario Energy Corporation, the Ministry of Energy or within the Premier's own staff that sought to do their own number-crunching and all the other things they do in these cases to see whether they thought the deal made sense for Ontario, fitted into public objectives and was a useful and justifiable expense of public funds? Did somebody do that? Who did that kind of in-house study in the government?

Hon. Mr. Davis: I do not quite understand the phrase "number-crunching" but, apart from that lack of knowledge on my part, I say to the leader of the New Democratic Party that there were a number of people who worked on this. A number of them made the final recommendation, some of whom he has already met and some of whom he has not.

Mr. Cassidy: Perhaps I could ask who in government? Who were the officials who provided the advice? Did they simply look over the material prepared by McLeod Young Weir, or was there some independent cross-checking and work done by them prior to saying: "Yes, we think it is okay. Go ahead, Bill"?

Hon. Mr. Davis: None of them said, "Go ahead, Bill."

Mr. Cassidy: I suppose they called him "Premier."

Mr. Nixon: Mr. Bill.

Mr. Cassidy: Yes, that is coming back in vogue now, is it not? I hear that Saturday Night Live is back on the air as well.

This is completely out of context from what we have been talking about, but has the Premier ever thought of telling Paul Godfrey that if he insists on putting those ads in, we will make his office into an elected office so that the Metro chairman has to be a member of Metro council, elected to Metro council, before he can take that office? Would that not be a radical reform? Why does the Premier not answer him that way rather than taking those snide ads that are coming from the Metro chairman, paid for with public money? The Premier can answer that before I go on.

Hon. Mr. Davis: I am not sure that ad campaign is a part of my estimates. I indicated, as I have always done, that I am very flexible and I will endeavour to answer any issues the

honourable member may wish to raise. I do not think the ad campaign by the Metropolitan Toronto council is part of the estimates. The member might raise this with the minister during the debate on second reading. With maturity and experience in political life, I have learned that sometimes one just ignores things of that nature. Sometimes that is the best approach to take.

If the honourable member wants to make a public statement tomorrow, if he wants to say to the chairman of Metro that if he were Premier—that is how his colleague used to phrase it—he would see that he was now elected to office and he would find some way to kick him out of office; if the member wants to say that tomorrow, be my guest. However, at this moment and in these estimates, when we are not even debating second reading, the member will understand if I do not follow the advice he has given.

The Deputy Chairman: I ask the member for Ottawa Centre to allow the questions to rotate a bit, because we have 17 minutes or so.

Mr. Cassidy: I am within a very few minutes of finishing my line of questioning, Mr. Chairman, and I will be happy to give up the rest of the time to other colleagues in both opposition parties.

On the subject the Premier got into, thanks to the House leader of the Liberal Party, I think Paul Godfrey's misuse of public funds is almost as bad as the government's misuse of public funds in the "Preserve it; conserve it" advertising.

I want to ask about that sidecar company. How much money will go into that for exploration from the government of Ontario? Was the government acquainted with what the cost implications would be in addition to the \$650 million?

Hon. Mr. Davis: I have put that on the list.

Mr. Cassidy: The Premier does not intend to answer that now.

I have no further questions. I simply say that I see the Liberals, who were so anxious to get information about this, are now happy to see the questioning stop. That suggests a certain inconsistency on their part, but even the Premier—

Mr. Boudria: Talk about being inconsistent!

Mr. Nixon: They were supporting the policy until the provincial council this weekend. That scared the wits out of them.

Mr. Boudria: They are the only people who can be for and against something simultaneously.

8:20 p.m.

Mr. Cassidy: Oh no. Remember what the Premier had to say a week ago Monday? Well, let us not go further into that one. I do not know whether the Premier is a crypto-socialist at heart or whether what is really happening deep down here in Ontario is that the Premier and three of his colleagues staged a kind of a covert coup d'état in which they betrayed every principle of conservatism. Look around this chamber; the seats are all blue. The Tories have been in power for 38 years, and here they are seeking to bastardize New Democratic policies and adopt them as their own.

I regret the fact that the Premier lacks the commitment to openness that we have tried to make in government and that we believe Ontario should make. And I regret the fact that, he knows and I know, he is going to come up in the end and say, "Well, this information is all confidential." I regret the fact that, as he made clear, he will not take control, that he does not believe in public ownership.

Therefore, what he is doing is speculating in public funds with no indication to the public, and perhaps not to himself, of what the costs or the benefits of this scheme will be. He has not got the temerity to stand up to Suncor and Sun Oil and say, "Look, we are prepared to put this money in to meet your needs, but these are the conditions we expect you to follow." Those are the kinds of things that should be said.

My friend the member for Lake Nipigon (Mr. Stokes) points out that for far less than what is being spent now we could have a major industry gasifying peat in northern Ontario and providing another indigenous power resource to the people of Ontario. There are so many opportunities in Ontario that we should be looking at. And we should look very seriously at the use of public control—not speculation, but public control—in the resource sector, particularly with respect to resources that belong to us or that used to belong to us in Ontario.

He takes our lignite up in Onakawana, gives it to Manalta Coal and tells them they have first option rather than the people of Ontario. He stands to one side and leaves the profits in uranium to be made by Denison Mines and Rio Algom on the basis of interest-free loans from the people of Ontario. Then he turns around and plunges with respect to western oil.

It is inconsistent, it is puzzling and it is

perplexing. At a time when this province is facing severe economic distress, I almost wonder whether we should not be using that money, which is put off on a speculative flyer by the Premier, the Minister of Industry and Tourism (Mr. Grossman), the Minister of Energy (Mr. Welch) and, rather reluctantly, by the Treasurer (Mr. F. S. Miller), for job-creating investments in Ontario at a time that we are facing the worst depression that this province has had, certainly in 20 years and quite possibly since the 1930s.

Mr. Nixon: Mr. Chairman, I have four specific things that I want to put to the Premier, of varying orders of importance.

I certainly do agree with the last comment by the leader of the New Democratic Party. We in this House probably face greater challenges than we ever have had in the 20 years I have been here, or the 39 years the Premier has been there.

Hon. Mr. Davis: Well now, just a minute.

Mr. Nixon: It just seems like that. But as we see the economic situation worsening day by day, I am sure the Premier and his colleagues must be as concerned as all of us. It is difficult for us to come up with the kinds of solutions that are expected even of oppositionists. It concerns me that in the year that lies ahead, maybe more than a single year that lies ahead, we are going to be hard pressed to meet our responsibilities.

I am feeling quite distressed at the attitudes of some of my constituents from the farm and elsewhere. They seem to approach the situation with a quiet desperation that deeply concerns me, because I do not see too many good things happening in the immediate future. I hope to be more optimistic about those things, but at present I am not.

The four things I want to raise with the Premier, as I say, are of different orders of importance. I do believe that we have somehow got ourselves involved in paying our senior civil servants too much money. We always compare with Alberta or some place else. Like everyone else who is trying to get their pay up, even members of the Legislature, we tend to compare ourselves with some distant jurisdiction that somehow has made a great breakthrough.

When I was a teacher, we always compared Brantford with Burlington, because they were ahead of us and we would try to ratchet ourselves up. There is nothing wrong with that. But somehow or other or at some time, the boss has to take a careful look, because I think there is getting to be an inordinately large number of

public servants working for Ontario, municipalities and school boards who are earning more than the Premier. I mean, that has happened in the past; even back in Les Frost's time, or anybody else's, there were public servants who earned more than the chief executive officer. But somehow or other we have got ourselves into some sort of a machine where the ratchets are so complex and so secure that it really is raising people above what the taxpayers can reasonably be expected to support.

In connection with that, I have said many times—and the Premier, I know, will smile—that I think we are giving too many cars away to people who should be prepared at least to pay for their own automobile. If they have to go on gruelling trips and speaking engagements, particularly civil servants, then we have somebody assist them in that connection. When all the cabinet ministers, parliamentary assistants, deputies and others either have a car provided for their full-time use or have one made available to them, I think perhaps we are getting a little out of line.

I can see in the next couple of years that we are going to be looking for places where we can reduce the costs of government and be seen to be reducing the costs of government. I just tell the Premier, I really think that it is getting out of control. Other levels look to us. School boards, all of the directors and many of the assistant directors of education which we in this House in our wisdom established, even to the surprise of the then Minister of Education, as I recall, are getting as much or more than our very senior civil servants and maybe the Premier himself in some jurisdictions. The special assistants to the mayors of various cities and the people who have responsibility for public utilities are getting well up into the \$60,000 to \$70,000 bracket. I think it is ridiculous.

The second point: The Premier is receiving, and has received in the last few months, applications from his friends and others who want the QC designation in his New Year's list. Once again, I want to suggest to the Premier that as we approach the dying weeks or years of his regime, one little thing he could do to sort of break with the old grey tradition—which he is fitting into more and more these days—would be perhaps to reform that system for the good of the legal profession and for the good of those who consume or use the advice.

The Premier, being secure in his own QC, is amused at this. But I should just tell him that if we had any kind of consumer legislation to

protect the public that had teeth and sense to it, then certainly it would attack the QC designation ahead of anything else. I believe it is misleading to the consuming public. I should tell him that one of his senior officials, a person for whom he has the greatest regard and who has recently retired, responded to a question that I put to him about why he had not advised various Attorneys General and others to reform this thing. He said he always had done so; his advice was to abolish QC once and for all.

It could be replaced by a designation, which would be awarded by some sort of a committee, known as senior Ontario barrister. It would fulfil all of the requirements of the lawyer himself in its long form, and in its short form it would warn the public. I really recommend it to the Premier. If he does not use that particular solution, he might use the one that was recommended by the good friend of all of us, Vern Singer, QC, who indicated that when he became Attorney General he was going to publish a list of those from whom the QC was removed year by year.

I am not sure I would want that left to his tender mercies, but it was at least a way to improve the situation which at present is ridiculous. The list that comes out with one or two Liberal nuggets strategically implanted is really ridiculous, and it always amazes me that right-thinking lawyers who really want to serve the public can even be bothered sending in their application.

Two other points: The Premier, who no doubt listens carefully to the squawk-box in his office and if he misses anything reads the debates carefully, might have heard me mention that I was present on the Six Nations Indian Reserve for the opening of an outstanding medical centre, paid from first dollar to last dollar by the taxpayers of Canada.

8:30 p.m.

In talking to some of the officials, both of the Six Nations Indian Reserve and of the Department of Indian Affairs and Northern Development and the Department of National Health and Welfare, I pointed out to them that in the Six Nations reserve in my constituency, which is the largest in Canada, there are 9,000 people on the band councils. It is, by far, the most populated in Canada. They are not well served in the areas of care for chronic patients, senior citizens, and nursing home facilities. They are using an old building called the Lady Willingdon Hospital, which was named after the wife of a former Governor General. Opened about 1922,

it was always an active treatment hospital. Now the Indian community is served by the hospitals in Brantford and other larger centres, such as Hamilton, but they do have to have chronic care.

They are using this old hospital. The staff is well trained. The place is kept immaculate. The people I visit there are content and happy. But I would say to you, Mr. Chairman—and one should be careful when using a phrase like this—that the place presents a certain fire hazard. As I say, it is well kept. It does not come under the supervision of the fire marshal of the province of Ontario, as far as I know. The people there are aware of that and have expressed their concern.

When I raised this with the federal authorities, they said they had provided the medical centre with its doctors, dentists and facilities, which are the best I have seen anywhere in my constituency. I said, "How about a nursing home?" They said that is a provincial responsibility. When I spoke to officials in the Ministry of Health, including the minister, they said: "We do not build those on Indian reserves." This is a type of catch-22 situation that we must do something about.

I have recently written to Monique Bégin and the provincial Minister of Health (Mr. Timbrell), drawing this situation to their attention. The band council is not bereft of funds, and certainly they are well led; they have an excellent elected council. Things are moving down there. As a matter of fact, the Ministry of Transportation and Communications is co-operating with the government of Canada to build a new bridge. And we do fund children's aid facilities right on the reserve.

About 25 or 30 years ago, in Leslie Frost's time, it was agreed that the province would pay the first and last dollar for a road that went right through the reserve. It is still an excellent road. The Indians there know that it came from the Legislature of Ontario by special arrangement.

I put it to the Premier that somebody or other has to think about this besides me. It could be that we do not have to provide all the money for this, but we can sit down with the representatives of that reserve and of others that may require similar assistance, along with the representatives of the government of Canada, to work this thing out.

Once again, if I may say so, it would be a feather in the cap of the provincial politician, the Minister of Health, the Premier, or somebody, who gives a bit of initiative to this in support of the Indian community.

The last thing I want to say has to do with the same area of jurisdiction. The Premier can well recall the discussions with his fellow first ministers leading up to the constitutional agreement in which aboriginal rights were very much on our minds. It was decided that we would not proceed, even in the constitutional resolution. Instead, since we were not sure what they were, we put aboriginal rights aside, with the commitment to the Indian community that there would be a first ministers' conference without delay, in which we would come to grips with this.

Then, because of very proper pressure from the Indian community and others, it was agreed that the phrase "existing Indian rights" would be included in the resolution. Nobody knows what those existing Indian rights are. The Indians firmly believe that they know. Certain politicians may believe that they know. But from our own point of view, and from discussions in this Legislature over the years, I submit that we do not.

It is far from being a joke on the Indian community, and I am not suggesting that it is a joke here in the Legislature, but it is not treated as seriously as it should be.

There have been various initiatives of the government of Ontario—Maple Mountain is one that comes to mind—in which the residual Indian rights to the property have held up the development. We have simply backed away from it, thinking that at some time we will come to grips with this. I submit that we have to come to grips with it in the foreseeable future.

I hold in my hand a report of the last select committee of this House that dealt with the rights of Indians in Ontario. We often feel that we have no responsibility in this connection, Mr. Chairman, but I can assure you we do. We collect taxes from the Indians, except for the income they receive or the purchases they make on the reserve. The Indian community pays taxes to a great degree, at least in the normal course of their lives and we have the responsibility to provide or assist in the provision of certain basic facilities and to safeguard certain rights.

I am suggesting to the Premier that some time in the next little while we have to come to grips with this. We should have a select committee that goes out from this House to the Indian community itself, both in the northern and southern parts of the province, sits down with the chiefs in their council chambers, whether elected or hereditary, and discusses with them what they consider their rights in the evolution of the new constitution of Canada.

Quebec has done quite a bit. They were forced to do so because of the development of the area around Baie James. We have not been forced to come to grips with this. Our Indian communities in many respects are well-treated by the government of Canada and yet they feel dissatisfied. They feel they are still not in sufficient control of their own affairs. We cannot dictate to the government of Canada what it should do, but we should be sure our own house is in order. This is the time we should come to grips with the problems and come up with the best solutions we can for our time.

Hon. Mr. Davis: Replying to the four points, I will take point number two first. Usually there are more than just two.

Mr. Nixon: Cars, QC, chronic care on the reserve and Indian committee.

Hon. Mr. Davis: No. I am taking number two. I was just going to say there are usually more than two Liberals on the QC list.

Mr. Nixon: I did not say two. I said a few nuggets.

Hon. Mr. Davis: I thought you said two nuggets.

Mr. Nixon: A few.

Hon. Mr. Davis: Oh, a few nuggets; that is better.

Mr. Nixon: There is usually the one in the headline and a couple one has to be among the cognoscenti to pick out.

Hon. Mr. Davis: Listen, we have given QCs to all your caucus colleagues who were eligible. None of them have said "nay." None of them have given it back. None of them will.

Mr. Nixon: The flesh is weak.

Hon. Mr. Davis: I might be prepared to make a deal. If you can persuade those cabinet colleagues of yours who at present have their QCs—

Mr. Nixon: What do you mean, cabinet colleagues?

Hon. Mr. Davis: —on their own volition to give it up, we might review the policy.

Mr. Nixon: That is not fair.

Hon. Mr. Davis: However, I have noted your observations and coming from one who is so well qualified in another profession where they do not get QCs I can understand the point of view. I cannot guarantee it will change this year.

Mr. Nixon: I have an LLD. I will give that back.

Hon. Mr. Davis: Was that an earned one?

Mr. Nixon: The same as yours.

Hon. Mr. Davis: There are some days I think those are harder to get than the others. They are harder to get than the others. I just got a note here. Do you know a Mark Lefebvre—

Mr. Nixon: Fine fellow.

Hon. Mr. Davis: —of Brant county, a good Liberal?

Mr. Nixon: What creep would pass that on?

Hon. Mr. Davis: Recommended by Robert Nixon.

Mr. Nixon: I didn't get it.

Hon. Mr. Davis: I only guessed at the latter.

Mr. Nixon: I do not believe any of my recommendations have ever been acted upon. I don't really expect this one to be acted upon.

Hon. Mr. Davis: Dealing with the civil servants, I do not distinguish, in discussing this issue, because the very distinguished member has raised this as it relates to directors of school boards and so on where we might come to some closer agreement. My concern is with the senior public service, the direct employees of this government. One should not go by comparisons, but I am in a position where we can have senior staff recruited to Alberta, perhaps traditionally more so to the government of Canada.

I would argue rather strenuously that our senior public servants, our deputy ministers, require as much talent and as much experience. I have found them in my own knowledge of it to be every bit as able as the federal public service. There is still a wide gap between what a deputy minister in this province is getting and what a deputy minister is getting in Ottawa.

I am not saying there should not be some gap, but the differential at the moment is fairly significant. It is hard to equate senior public servants with the private sector. We make some effort to do so. The comparisons are not always easily made, because the kind of work is different and people argue the degree of security you have if you are a public servant. Those things cannot be ignored. But I do not know if I would agree with the honourable member that our senior public servants are getting too much, that they are being overpaid. I am not looking at any of the ones under the gallery. I'd have to say that compared with other governments in comparable positions, the Ontario public service is not overpaid; rather it is somewhat underpaid.

8:40 p.m.

Mr. Kerrio: You're talking parity now.

Hon. Mr. Davis: We are not talking parity. We have discussed our own modest honorariums, compared with other provinces.

I was familiar with the one question you raised on the nursing home. I will pursue that with the minister. I will take it under advisement in a very positive way. I am not sure a select committee would necessarily be the best route. I really have not thought this through. I know your own reluctance to have select committees on some subjects.

Mr. Nixon: That northern royal commission isn't a good example.

Hon. Mr. Davis: No, I am not going to argue it is either, although we must recall the enthusiastic support it received in a lot of circles when it was initially appointed. I will not quote you chapter and verse, but I have a fairly good memory.

As a government we are concerned, and not only because of the constitutional discussions. We have been pursuing this quite actively. It is a very complex area as the honourable member knows full well. I can assure him his observations will not be neglected.

Mr. Haggerty: Mr. Chairman, I want to make a few comments on the Premier's estimates and relate them to his visit to Fort Erie back in the early part of February, I guess it was, where the—

Hon. Mr. Davis: It was snowing and blowing.

Mr. Haggerty: You were well-received that day.

Hon. Mr. Davis: I certainly saw your signs all over the place.

Mr. Haggerty: There were quite a few of them, were there not? They were very interesting, weren't they? I know they did not discourage the Premier from coming in. He came in and brought along with him—

Mr. Kerrio: He got a better reception in Niagara Falls.

Mr. Haggerty: He came into Fort Erie anyway with a promise of a million bucks to feed industries and everybody thought this was a great boost to the community. I thought it might assist them too, but apparently it is not going to fulfil its purpose of creating the 400 new jobs it was supposed to create. I understand there is a possibility another 150 to 200 will be laid off from Fleet Industries in January. So instead of creating new jobs they are backsliding and going back to the level of employment of some two years ago. I regret this is happening to the aircraft industry there.

He came into the Niagara Peninsula and made another announcement—I think it was in

St. Catharines or Niagara Falls—a promise that the auto technical centre would be built in the peninsula. I know it is difficult for the Premier to make that decision, because he made it in about four or five different centres. It reminds me of all the promises that were made in the Brampton charter. But I suggest the Niagara Peninsula has much to offer for this centre, being close to Brock University and the Niagara College of Applied Arts and Technology. The member for Welland-Thorold (Mr. Swart) suggested it should be located in Thorold. I am a little concerned about that because if it were located on top of the escarpment it would be on choice agricultural land. I would not want to see that happen—taking choice agricultural land out of production again for an auto centre there.

The Treasurer was in the city of Port Colborne about a month ago and came in with another goody. It was well-received by the city of Port Colborne, a \$1 million grant for a new industrial park to provide services there. This is a community like every other in Ontario that lacks full employment and there is always a good opportunity to consider the city of Port Colborne for that \$1 million grant to help fulfil this industrial park.

There are advantages in this area. It is close to Page-Hersey which manufactures pipe for the transmissions and other parts of the automobile. At the present time, there is the P.C. Drop Forgings in the city of Welland that is building or manufacturing auto components. There is Atlas Steels with its special alloys that go into the production of gears and special steels for that and the transmission parts such as the crankshaft. So the area would be close to the centre of supply.

I am thinking of a report done in the United States for a committee, which is now before the Congress of the United States, that deals with the difficulties the auto industry is having in that country. It reflects back over on this side. One of the studies was a comparison with Japan. One of the problems with the United States is that they have too much of their production for automobile parts too far away from the assembly plant. This adds to the cost and means that instead of an eight-hour inventory supply, they have to go to about an 18-day supply.

I suggest if you are going to put this auto technology centre someplace in the province, I hope in the peninsula, that is an area to consider. I wish you would branch it out further than that to take in the area of the agricultural

sector of the province which needs some assistance with technology and research. You should include this package with it.

I am concerned about our American counterparts in the Canada-US auto pact. They are making deals now to bring in cars from Japan and sell them under the Ford name or the General Motors name or whatever. This may cause some problems here in Canada because it is going to open the door for them to bring in another special line of cars from offshore. If we are going to have this auto technology and research centre it is time, with the grants given to the automobile industry, we should be looking for an allCanadian car.

Perhaps the Board of Industrial Leadership and Development program can provide the leadership in this area to create our own cars here in Ontario. We have the skilled trades in the area of almost every community in Ontario. It is an area worth looking at.

My other area of concern relates to a promise made by this government and your predecessor back in 1968, 1965 and 1964—that there was consideration to purchase a provincial park along the shores of Lake Erie. I do not have to remind the Premier of the difficulties down there with the fences up along the shore of Lake Erie. You can travel all along Lake Huron and with all the provincial parks there nobody has fences up telling the public to stay off.

There are problems in Fort Erie and I think there is court action taking place now. It is crown land, but for some unknown reason the people fronting that lake have put up barriers denying the public access to it. There has been property for sale and the government has said they will consider mini-parks. That was one of the policies.

There is a site of 75 acres fronting the shoreline of Lake Erie, about 800 feet of beach property, east of Crystal Beach—Ridgeway—that is close to the Niagara Parks system. If the government does not move to take this piece of property now it is going to be developed and it will lose its last chance to maintain public access to almost any shore line along Lake Erie.

I am sending this over to the Premier. I said to the Minister of Natural Resources (Mr. Pope) and the Minister of Northern Affairs (Mr. Bernier) if they would buy this park for this area, I may consider retiring from politics. You could not get a better deal than that. I wish you would take that offer up.

It is a serious problem and this is the last chance to do something for the public down in

that area. As close as we are to the American border there, and the thousands of tourists who do come over, there still must be a site for Canadians to have access to the lake front. It has a nine-hole golf course. It could be part of the Niagara Parks system.

I think of the grand old man of reforestation in Ontario, Dr. Edmund Zavitz. You may recall that name. It would be just a great thing if you could purchase this park and name it after him and say: "We appreciate what you have done in the area of reforestation in Ontario." I am here to help you keep that promise.

8:50 p.m.

Mr. Conway: Mr. Chairman, I would like to ask a series of questions on one subject. I believe we are doing both the cabinet office and the Premier's office together. I know if my colleague from Rainy River (Mr. T. P. Reid) was here he would be anxious to join in this discussion. It is really more a matter of information than anything else.

Can the Premier indicate to me in the cabinet office vote which is where the item I am looking for would be located—I just have this document, I do not have the more in-depth briefing book which I believe is available. Perhaps the Premier can supply me with the information today or if not today at an early opportunity.

My question concerns polling done by outside polling groups. I am particularly interested to know about Decima Research Limited, the Allan Gregg group. Can the Premier indicate in these estimates how much money will be allocated for polls, who will be doing those polls and on what subject matters those poll interventions will be made. Can he indicate these estimates for both the fiscal year 1981-82 and for 1980-81, because my concern is equally as keen for the fiscal year we are just leaving. What amount of polling was done by the cabinet office? Who did it? On what subject matter was that polling activity concerned?

I have a supplementary to that—perhaps he can supply me with some of that information forthwith?

Hon. Mr. Davis: Mr. Chairman, I cannot give the details of that information. Quite seriously I would be delighted to get it. You raise the name of one firm. I think I can assure you that Decima Research Limited has not done any, and I do not believe we have done any polling through the cabinet offices in this current fiscal year, but I will confirm that.

Mr. Conway: I would appreciate that very much because I am interested to know whether in the period from 1980 onward the Decima group has polled. But quite frankly I am interested in what other groups have and what the breakdown is going to total for these estimates going into this next fiscal year, the one we are now in.

Another point the Premier has probably dealt with elsewhere: can he indicate what the policy of his office is with respect to the release of the information of any polling that might have been done by his office or the cabinet office?

Hon. Mr. Davis: Mr. Chairman, I think the policy generally has been to give to the individual ministries who did some polling the responsibility for the release of that material. I think in the past year we have not done any—not in this current fiscal year. The bulk of it, and there has not been that much done for cabinet office, has been done by the Goldfarb firm. That is the only firm whose name I am aware of.

Mr. Conway: I take it then you are going to supply this information within a relatively few days if that is possible. I would certainly appreciate it by the week's end.

Mr. Nixon: Goldfarb told the Liberals that Coutts couldn't lose.

Hon. Mr. Davis: That is why you should never rely on polls.

Mr. Conway: I just want to be clear on this undertaking: The Premier would then provide for me as soon as he can any and all polling that has been done in the past fiscal year for either the Premier's office or the cabinet office. He will try as well to provide me with information as it might relate to these estimates with respect to any polling contracts that are intended or are in any way spoken to for this set of votes?

Mr. Cassidy: I would like to pursue that a bit further. I heard the Premier say the policy with respect to polls done for individual ministries is left to those ministries. I wonder if the Premier could explain that a bit further. It seems to me when we had the release of polls about a year and a half ago a number of those were done through various ministries and some were done for the cabinet office and the Premier's office.

I was recalling that brief glimpse of what the government guides its actions by the other day. Those were all released in a piece because of pressure coming from the Legislature. Can we not have a commitment from the Premier that this policy of openness will not be a one-time event, but on a regular basis, perhaps every

month or two or even stretching it to three months? After the relevant poll has been utilized within the ministry it would be tabled in the Legislature and therefore made available to members and the public. The public after all paid for those polls, and I think they would have some interest in knowing what is in them.

Hon. Mr. Davis: Mr. Chairman, as I recall the discussion I think the honourable member saw the polls. I do not say he was disappointed in their contents but perhaps there was some modest awareness at least that the polling was not done with political motivation. I guess it is natural to suspect that the government—

Mr. Nixon: We did not get them all, did we?

Hon. Mr. Davis: I do not know whether you got them all; you got most of them. Because they are not all taken at the same time, we have told the ministries to release them. We have given them that responsibility.

Mr. Nixon: The argument is not very devastating unless we get them all.

Hon. Mr. Davis: I see. But when that massive release was made I gained the impression the member was—disappointed is not the proper word—surprised at the lack of political input into the polls themselves.

Getting back to the question from the member for Renfrew North, I will give him what information we have relative to what polls were taken or projected in 1981-82 and the names of those firms who have done any polling for us. I think I am right in saying there are not any in 1981-82 but I will confirm that.

Mr. Conway: Just to complete my interest in the point, do I take it from the previous responses that this minister, with respect to his departments, has no objection to the release of polling data that has been paid for through the public treasury at some time, I hope not too far from the production of the poll, to the public domain?

Do I take it from his answer he does not have any difficulty with the concept that the results of these polls should be released to the Legislature and the public? If the polls are paid for by the public treasury for presumably very important public purposes, at a certain point down the road—I believe the third party mentioned two or three months—I take it the Premier has no difficulty with the concept that those be released to the Legislature and possibly the community as a matter of rule and routine? The polls are made available to the departments and the Premier of course is head of his department and the cabinet office as well.

Hon. Mr. Davis: Mr. Chairman, I would say as a matter of principle, I do not have any difficulty with that concept. There may be the odd poll that could be quite sensitive and in our view—and I say this quite sincerely—might not be in the public interest to make public. I have some modest experience with polls and I can tell members what they reflect today may not be the realities of three months or six months from now. I can visualize the odd circumstance where it would not be in the public interest. I do not say that would happen on too many occasions. So in general terms, yes, I would agree that after a period of time, these polls could be routinely released. There may be some exceptions to that.

Mr. Conway: The Premier has twigged my interest yet again. I can imagine in the national jurisdiction how things like national security could certainly be very sensitive in polling as in many other areas. Since he did raise the subject, I would like to pursue with him the class of polls that might be sufficiently sensitive to justify their retention within the private confines of the executive branch. Drawing upon his very considerable experience as leader of the government and minister of the crown, can he indicate specifically what might be in that category? Since sitting here these brief moments I can't visualize what those polls might be at the provincial level. Perhaps you can help me with that.

9 p.m.

Hon. Mr. Davis: We are speculating a little bit here, Mr. Chairman, but I could visualize this government feeling that an example might be some polling of public attitudes relative to the constitution, some of the sensitive issues that were part of that or even flowing from that. I am perhaps expressing this in a rather clumsy way, but sometimes those poll results may not reflect attitudes. They are done from a limited sample. I do not say we have had this happen, but I can think of the possibility of polls on issues that, while they are done here in the province, might have some sort of national impact and relevance.

Even the government of Canada has said it felt—Chrétien, I know, has said this on a couple of occasions—it would not be in the public interest to release some of those polls. They are not statistical in the sense of the word, and they cannot be measured other than by the opinions of those people who express them to a group of pollsters. They are not totally accurate—I can

give you that from my experience—and they do change. They change with some rapidity on some issues. I can agree with the honourable member in terms of principle, but I cannot guarantee him that every single poll would necessarily be made public. It is something you look at as you go through them.

Mr. Conway: As a regular reader of the Metropolitan Toronto press and particularly the daily Toronto Star, it seems on a weekly basis to bombard its readership, on the page opposite the editorial page, with Gallup testing on what seem to me to be a range of often controversial, sometimes explosive, issues. I wonder to what degree that has not sensitized the population at large to the kinds of things the Premier has just mentioned.

I would imagine that some years ago when, perhaps, we were less sensitized to the kinds of issues that now seem to preoccupy much of the public domain, that kind of caveat at the provincial level might have been really understandable. I think I can imagine what some of the issues on that shopping list of potential controversy might be. But I cannot imagine, in most cases, they have not been widely and regularly ventilated by our public press in a way that would make the community at large rather agreeable to the receipt of additional information from a government.

I do not want to make too much of this, but looking particularly at the political literature of recent years one of the reasons I mentioned the Decima group is that Jeff Simpson's marvellous book, *The Discipline of Power*, sets a very fascinating relationship between government and that polling organization.

Mr. Cassidy: Almost like your party and Goldfarb.

Mr. Conway: Indeed. I do not disagree with that at all.

I just have not seen a recent account that was quite as specific, definitive and, from my point of view, endlessly fascinating. I rather thought in the parliamentary context different sorts of inputs finally decided things. Certainly, Simpson's thesis would caution one against believing too much of that old school argument.

This weekend I was rather amused by what was coming out of Quebec. That government and that party were polling madly in the course of the last 10 days apparently to get their message across to the French-speaking part of Quebec, particularly as to where it is alleged to stand on the important issues of the constitu-

tional debate, and whether the majority of the population was in favour of the provincial position as taken by the Lévesque government or as taken by the national government.

I just want to say in conclusion I feel very strongly about this subject. I can understand why it is that governments in a modern world want to do polling. That is not a real problem for me. But a number of the line ministries are going into areas and sampling at great length, getting the widespread support and participation of that community and then saying: "I am sorry. You cannot have the results of what you have told us and what we have put together, because we do not think it is in your best interests."

It is extremely difficult to persuade the person who is not only being sampled but who is also paying the piper that he can do those first two functions well but he is not mature enough, he is not able enough to accept and to interpret the finished product.

I would strongly encourage the Premier, not only as head of these departments but also as leader of the government, to undertake a regularized policy which would see the release of all information at a conveniently early time upon the conclusion of the date of gathering and its digestion by the department and/or the government at large.

I really hope we have reached the stage where—recent speeches in Belleville notwithstanding—freedom of information and a more open concept by all governments can be achieved by the implementation of what I think is a relatively sensible course of action, particularly on the basis that the people who are being sampled and the people who are being asked to pay for this are, in the final analysis, not privy to the information that is forthcoming.

Mr. Cassidy: Mr. Chairman, I want to pursue this. I trust I have heard the Premier correctly. If I heard him correctly, the representations that have been made by my colleague the member for Renfrew North are accepted by the Premier. So I will ask the question specifically: Did I understand correctly that the Premier is prepared to ensure that with the limited exceptions he spoke of—and we can quibble about those, I do not think I agree with the Premier about them—polls made not only by his department or the cabinet office, but for or by the various ministries will be released here on a regular basis within a short period of time after they have been prepared and made available to the department? Is that what the Premier is now saying?

Hon. Mr. Davis: No, Mr. Chairman, I do not think that is exactly what I said. I think I said to the honourable member that in principle I did not quarrel with the statement he was making. I said the practice has been for individual ministries to determine those polls. There are not nearly as many as people always suggest are there somewhere. From my perspective, as a matter of principle, I tended to agree.

I did put in a caveat, which perhaps we could discuss at greater length on some occasion, that there could be those polls government might judge would not be in the public interest. That is a judgement call and it is one that is not always easy to make. But I did agree in principle. I cannot argue against it in principle.

I cannot guarantee we will have a policy starting in the coming year that, three months after a poll is taken, a ministry will automatically table that poll. It may be three months is not sufficient time for digestion or an appropriate time to elapse before it is released. But I am not taking exception to the principle of this being done. I cannot guarantee you. I have not discussed it with my colleagues. It is something we would have to develop as a matter of practice.

Mr. Cassidy: Perhaps I can pursue this. What commitment is the Premier prepared to make? Simply saying he accepts it in principle does not get us very far, in the first place, quite apart from the fact that it can be used as a means of escaping responsibility. I am not trying to push a partisan line like that.

Perhaps I can point out to the Premier, who reminds us from time to time like this afternoon that he has been a departmental minister as well, that civil servants, not only in Ontario but also at the federal government level, in Washington, in Whitehall and probably even in Saskatchewan would prefer, if they could, not to release information which they would prefer to keep on a confidential, in-house basis.

I am afraid ministers have also sometimes shown themselves, in the absence of a policy and of a deliberate decision developed to do otherwise, to be somewhat jealous about maintaining information of their own rather than making it public. That occurs elsewhere. It is not just endemic with this government although sometimes we think this government is particularly prone to it. Perhaps it is something to do with being in power for so long.

9:10 p.m.

But given the fact that the natural tendency,

therefore, will be not to implement the principle the Premier has talked about, what action would he be prepared to offer in order to turn principle into practice? I say that accepting, albeit grudgingly, there will be a caveat in that he is saying he might feel he had to hold back some of the things—he indicates a limited amount of the material—because in his judgement they are not in the public interest.

I would like to see it established as a general matter of practice that within a few months of polls being taken they are made public. Is he prepared to offer that? What is he prepared to do in order to make that principle into a practising reality within the government?

Hon. Mr. Davis: Mr. Chairman, the honourable member has endeavoured to get me to be definitive or commit policy during the course of these estimates. He may make instant policy. I consider these matters very carefully. I have listened to what the member for Renfrew North has said and I have listened to this member's observations. I would just remind him of the existing practice. Members put questions on the Order Paper and they get the lists of the number of polls, the figures, the ministries, and a goodly number of those polls have been tabled.

I make it quite clear we are talking here in terms of the principle of it. I cannot tell the member we will have a policy next week, because we have a few other things to consider, or that three months after a poll is finalized and the ministry has had an opportunity to assess it it will automatically be tabled. I cannot give him that sort of commitment. I know he rushes into things. He makes up his mind very rapidly. He does it without any thought or consultation. We try to handle things a little more logically on this side of the House, because we have to assume responsibility for it.

Mr. Cassidy: I have to assume responsibility for what I and my party do as well. I assure the Premier we know how to consult as well.

Hon. Mr. Davis: This is not a party thing. We are the government.

Mr. Cassidy: That is right. You have been the government for 38 years.

What I would like to ask the Premier for though—again without, as he says, him making instant policy, which is fair enough—is an undertaking to have this matter studied within the cabinet office, for which he is responsible, and perhaps that he engages in some of the consultation with his colleagues he talks about

and brings back a report—he is getting his orders from the member for Carleton-Grenville (Mr. Sterling).

Will the Premier undertake to come back with a statement of policy or a decision when this House resumes some time, I hope, in February but more likely, given the habit, in the latter part of March, in order that there can be either a policy or an established practice that everybody agrees on, understands and can work by after that time? Will he have it studied and come back with a report when the House resumes?

Hon. Mr. Davis: I am not sure about the non sequitur of my habit of coming back in the latter part of March. We have been back here in the early part of March, as I recall, more often than not in the past 10 years, if the member checks the records very carefully. Listen, if he wants to come back in February in the midst of his convention, we might be persuaded to do that, if that is what he would like.

Mr. Cassidy: I have no problem with that all. I would be quite happy to be here.

Hon. Mr. Davis: No, I know you won't. Are you giving the valedictory address?

Mr. Cassidy: A few of my friends may be otherwise occupied.

Hon. Mr. Davis: I understand that. I am not going to give a commitment tonight that I am going to come here on whatever date in February or March and that I will have all this resolved and make a policy statement the member will find totally acceptable. I am quite prepared to consider it in the interim and have something to say about it.

Mr. Conway: I want to take up the point the Premier mentioned, because there is a standard response from the executive table to an inquiring Legislature about the courses of action we can undertake to get information. That is good political science. It makes eminently good sense, and every textbook I can point to will print it out very nicely.

But there are times when one gets a shocking indication that is not so. I am not going to recite chapter and verse of the cases in modern history in this political culture where there have been some unfortunate deviations, although I can cite one in my own case that was very important and, in my view, very serious. It made me a lot more sceptical and, quite frankly, infinitely more cynical than I ever was prior to its occurrence.

It involved the social development commit-

tee in 1978 and had to do with information that we had asked for concerning the debate on the premium increase and the whole premium tax principle. We had asked for a certain amount of information that was important, vital at the time, and it came forward. I will never forget the now minister, who was the then minister in his place, trying to be very helpful, defending what was at the time the crucial matter, the government justification prior to the budget of the whole premium business.

It happened to be Darcy McKeough's March 14, 1978, letter to the *Globe and Mail*, which seemed to some of us a little strange, but made much more sense when the Deputy Minister of Health, sitting in his place, simply pulled out of his pocket for the minister's survey what proved to be a devastating piece of information that was not contained within and which was a sharp and stinging contradiction for not only what the Treasurer was saying in his remarks, but also in all that had gone before. It was, for me at least, a clear indication that we had been given very selective information.

So I hope the Premier, who has been blessed, I suppose, by the good fortune of having spent 22 1/2 years of his public service in the province on the government side and most of it in the cabinet confines, will understand how it is others might be a little less enamoured with some of the obligations which press so deeply, so immediately and so often upon himself. Unlike others in this House, quite frankly, I think the Liberals will be winning Carleton-Grenville before we get a freedom of information policy from this government. That is about the level of my expectation with respect to that process.

I have surrendered any hope that I once had in that connection, but I do hope we can have at least a partial admission that these are important public documents in almost all cases. I am not persuaded; I would certainly be delighted to have written communication from the Premier or his senior staff setting out the caveats, the reasons, the places and the circumstances, whereby the public, which is being sampled, which is paying for all of this, ought not to know what its collective mood is on a given subject.

I have great respect for the polling agencies. I do not share the scepticism of some of my friends to the immediate right of the chamber. I do not have any worry at all about their ability to do a good job and an accurate job. Certainly, the sample at a given time changes from time to time. When one reads the Jeffrey Simpson

book, *The Discipline of Power*, one understands only too well how the winds of change blow across the political floor on which we walk. But I think it is important that those polls be made available, in almost all cases, in the interests of the public's right to pay and to know.

Mr. Cassidy: Is the Premier going to reply to all of these things said to him?

Hon. Mr. Davis: I spent half a day replying to what you said.

Mr. Kerrio: Mr. Chairman, I am not sure it is not a fact that the Premier enjoys my company, or for whatever reason, I have been listening with rapt attention and I have not heard him respond to my questions.

I understand why he has something in common with the NDP and why he would relate so much to them, because having sponsored them with the extra funds for research that they so direly needed, he would have to address himself to that gentleman on our extreme left and acknowledge the fact that he happens to be there after such an expenditure on the part of the government to justify their existence. But I thought the question that I raised, as it relates to the auto pact—

Hon. Mr. Davis: I have got it here.

Mr. Kerrio: Thank you very much.

Hon. Mr. Davis: Mr. Chairman, I assume there are just two matters that I wanted to refer back to, one raised by the member for York South and then the member for Niagara Falls. Perhaps I will deal with him first in that he is here. He raised three issues with me, as I recall. One was the auto pact, where I can assure the honourable member we share his concern with respect to the equity of the auto pact. We have made representations to the government of Canada, and we will continue to do so, to correct the imbalance that exists, particularly in the parts sector. We share the concerns the member has expressed to me, and they are being pursued.

9:20 p.m.

The member raised the question about the geographic location of the auto parts technology centre and I realize he was supporting the concept of its being in Fort Erie or somewhere—

Mr. Kerrio: Nearby.

Hon. Mr. Davis: Nearby. His colleague was sitting right beside him and I knew the member for Niagara Falls was supporting what the member for Erie (Mr. Haggerty) was saying because he supported that member. I got that message.

I also appreciated the member reading my letter to his newspaper on UNICEF and I can assure the member that with respect to the water qualities of the Niagara River, Lake Ontario and those other tributaries, we share his concern. We may differ as to the method or the approach the ministry or the minister is taking, but I think the member is fully aware of the minister's concern, his commitment to putting our point of view across, his involvement with the state authorities in New York, and my willingness to meet with the governor of that state. We are still pursuing it and I would hope that meeting will come to pass in the not too far distant future.

The governor was not available when I met with other governors of the Great Lakes states, not about the Niagara River but water quality and air quality in Washington, which I think received, on the part of some at least, a very positive type of response. I feel quite optimistic that Governor Carey will show the same concern and the same measure of co-operation.

As I recall, those were the three items raised by the member for Niagara Falls. If I have neglected any, he should send me a note and I will get back to him. I would deal with the—

Mr. Cassidy: The same way he dealt with my questions.

Hon. Mr. Davis: I asked the member for Ottawa Centre to get the questions over the supper hour and I would do my best. I always do my best. It may not be adequate; it may not be sufficient—

Mr. Cassidy: The Premier's best is always inadequate.

Hon. Mr. Davis: I know the member's assessment of my best is inadequacy. I will always accept his judgement, but I prefer to accept the judgement of 8.5 million other people who, when they tested our adequacies, made their determination. I am always prepared to accept that judgement, no matter how it turns out. I always feel they exercise that judgement intelligently. That is rather fundamental.

The member's colleague the member for York South—

Interjection.

Hon. Mr. Davis: I understand. I will deal with one issue the member's colleague raised, which he perhaps did not hear, just to set the record straight. While it is in the past, I do not want there to be any misunderstanding. I heard some of the member for York South's observations about the constitutional discussions, which he discussed for some 38 to 40 minutes.

Very appropriately, on balance, he appeared to become just a little defensive with respect to the position of the New Democratic Party, the fact there was some division within the party, which should not surprise anyone—I do not know why he should bother to apologize or explain it—and also to present the point of view that in some way I or the Minister of Intergovernmental Affairs (Mr. Wells) or this government had singled out the Premier of Saskatchewan in terms of part of this debate.

I say to the member for Ottawa Centre that if he looks at the Hansards and correctly traces the chronology of this he may find it was his own intervention, his own unfortunate way of presenting these issues on occasion, that led to some of this discussion.

As I recall it, the member was putting the onus on this government, on me, for why certain things were not happening or were not included and I made it abundantly clear what my position was. I do not think I offended the Premier of Saskatchewan when I indicated what his position was. The reality was this province was in favour of their inclusion, some other provinces were not. That was the sum and substance of it.

He is not going to find me, on the issue of the constitution, saying any less than positive things about the Premier of Saskatchewan. He has played a very important, very meaningful role. He just happened to take a different point of view. No one needs to become defensive about that as long as the facts are there and it is clearly understood. I hope the member conveys that to the member for York South because I would not want any misunderstanding on that issue.

Mr. Cassidy: I will be happy to convey those opinions to the member for York South, but I would remind the Premier that on two specific occasions when he had the ability to concur with the federal government's proposals, those questions about the recognition of the rights of native peoples and of the basic equality of the sexes were left out; were not even thought to be worth mentioning, as far as the Premier of Ontario was concerned.

The first time they certainly could not maintain it was because of opposition of other provinces, because at the time the original proposals were put together by the federal government, and concurred in only by New Brunswick and by Ontario and no other provinces, there was no reference at that point to native peoples' rights, nor was there reference to the basic equality of men and women under the constitution, which eventually has now

found its way back. At that time—and that was one of the points the member for York South was making—Ontario could, and was, in a position to have provided leadership on those issues and did not.

The second time was when the negotiations were going on and when the Premiers finally came together. At that time he was suggesting Ontario had perhaps been remiss in not insisting that the clauses on native peoples' rights and women's rights—which by then had been put in because of the intervention of the very active participation of Ed Broadbent and the federal New Democratic Party caucus—were tossed aside with barely a second thought. He was suggesting that Ontario could, at that point, have dug its heels in and insisted that what was done later should have been done at that time.

Those are the criticisms being made by the member for York South in commenting on those two particular issues. As the Premier says, later on as the pressure mounted, my friend and colleague from Saskatchewan, Allan Blakeney, was a bit slower than some of the other provinces to recognize that both the questions of native peoples' and women's rights had to be comprised in the new constitution. He had some valid points in terms of the working of the ultimate package, but those were points which should, and could, have been raised at some other time, an earlier time, in order to have them ironed out.

At that time, it was a question of whether we put equality for men and women in the constitution or not; and whether we leave it subject to an override or not. That is the position he eventually took, but long before that, before any of the gang of eight were even considering being on board with the charter of rights, the Premier had the opportunity to stand up for native people's rights. If he did, it certainly did not come out in public, in terms of his disappointment that they did not come in, or by being included in the package that was agreed to by the federal government.

Mr. Conway: Mr. Chairman, I did not realize there were so many other members here tonight who wanted to participate. I know there are only a couple of minutes left in the estimates time, so I am going to expand my list of interests to a couple of other things. I sat earlier this afternoon listening to other members talk about other issues, but there are a few observations I would like to share, since I have some views on a couple of subjects. I will not be long on the three or four subjects that I want to comment upon.

Much has been made in this session about the Board of Industrial Leadership and Development, and the Premier and his office has had a real interest in and involvement with that particular program. I was looking the other day at the correspondence with the Civil Service Commission on one of the questions that I think is central to, if not this House at least another future generation of academics, and that is the degree to which that marvellous panoply of public relations on February 1, or January 28, whenever it was, on the eve of the provincial election, whether or not that was a case study to point out the too close relationship that exists between a long established party in power and the public service.

I happen to think, more from my private conversations with people within the Ministry of Treasury and Economics than that rather obscene display at the Macdonald Block that day, that in fact it is. It really was quite an abuse of the public service to involve them to the degree they were necessarily involved in the production. I understand, from my sources, which I have to think are reliable, that there were more than a few people who told Hugh Segal when he called—what is it Johnny Paycheck's song title has to say?—basically, "We find you have made an unfair request and we are not going to do it so find someone else." But certainly when I read the letters of Mr. Waldrum and others, I certainly had the feeling that this was not the view of the Civil Service Commission.

9:30 p.m.

Certainly as one member and one citizen in the province, I saw it rather differently. When I see the Premier's deputy sitting quietly under the press gallery over there, I am reminded, as well, on this subject, about a film that I think about often in this connection. That is Peter Raymond's *The Art of the Possible*. If I ever get to the point of teaching a class, there are going to be parts of that film I will use to deal with that particular point because of the people involved.

I think particularly of the very distinguished deputy minister in this department. He allowed himself to be filmed in a couple of cases, quite remarkably from my point of view. That he was doing the sorts of things he was doing did not surprise me at all; that he thought it should be committed to celluloid for years to come was quite remarkable.

Mr. Cassidy: He did get his film debut in the TV ads for the Tories in the election.

Mr. Conway: That is true, but I do not remember that as well. I must say about BILD that I have a very clean remembrance. Some months before the election was to take place, I had brought to some culmination an important project in my own riding and I felt the dialogue was good and that others in the government were very sympathetic. Needless to say, I was quite shocked to see my representation, my basic idea, there in the BILD document for which others were taking great and endless credit. That told me something about the genesis of this long thought out policy position.

On a sadder note, understanding how these things come to pass, I thought in this election, in this particular document, there was sort of formalized, to me at least in a pathetic way, something that represents the old parish pump post office politics that I liked to imagine was not really what it was proven to be for 37 or 45 marvellous days in February and March.

I think particularly of the BILD document and how it set out that we want to have three or four specific undertakings and they are going to be these projects. We know we are going to have a high technology research centre or whatever. What we do not know is where it is going to be. We can tell it is either going to be in Cambridge or in Ottawa. We want to have an auto centre and we do not know where it is going to be generally, but we can tell it is going to be in either Windsor or Chatham or St. Catharines or Cornwall or whatever.

I was amused during the election at the degree to which this ploy was being very successfully played. I have come, after some short years of experience in this place, to understand that some of my good friends opposite play politics like a professional plays water polo. I am never too amazed at just how successful a modern translation of some of the more ancient practices of this business are played out now.

To see the member for Cambridge (Mr. Barlow) plaintively pleading, begging in his own private way with the minister who is going to dole out this little plum. Then to hear the member for Carleton (Mr. Mitchell) get up and bleat his endless bleat in praise of his own locale, a very good cause. I find it sad, quite frankly. I hope the day never comes when my involvement here reduces me to that kind of role.

I am speaking as just one member. I am not saying all of my colleagues would agree, but I must say I found that whole procedure deeply

depressing and offensive when I really thought about it. I hope its success in the last campaign will not encourage a more resourceful use of it in future campaigns.

Briefly, on another subject, and these are not in any particular order, over the past couple of weeks I have made note on the weekend that we in the eastern part of the province have the benefit of seeing the weekend review of Parliament, as I guess you do here in Toronto and Brampton and elsewhere. In our case, we get the National Assembly review on Saturday and Sunday mornings when it is in session. Occasionally, though it is rare, we see something from Queen's Park.

That is something I find appalling. I am altogether in favour of improving the quality of television in this chamber in the interest of stopping the very poor impression of certain honourable members that is being cast across the province. If I were the leader of the third party (Mr. Cassidy), the Minister of Education (Miss Stephenson) or the Minister of Agriculture and Food (Mr. Henderson), for my own protection I would denounce the view that is left of me from the current arrangement.

I strongly encourage that television in this chamber be regularized to the point of having what is called an electronic Hansard or, if that cannot be arranged, and there may be prophets of parsimony who would argue it ought not to be arranged, then in the interest of fairness to some people, please have it removed completely. The unflattering profile it presents of some honourable members on the Treasury benches and an equal number of honourable members here is really worrisome to those of us who want to have a fair and accurate presentation.

My third point is something I talked to the Premier about in a supplementary question about a month ago. I know it occupies the interest, the attention and the research of the member for Ottawa Centre (Mr. Cassidy). It has to do with election reform. I finished my third campaign under the election expenses reform legislation of 1974 and, as I have indicated on earlier occasions, I am quite pleased with some of the significant progress that has been made.

It is positively joyful for those of us in my beloved part of the province to see some of the spirit and the letter of both the Canada Elections Act and our own provincial regulations now being complied with. As the Premier knows, we have a fairly colourful regional political culture and, having grown up in it, it is marvellous to be able to tell people now that the

Canada Elections Act really means something and that certain encouragements on election day and at other times are really not proper and, of course, are not legal.

I am delighted we have moved in the direction of disclosure. I think the whole tax credit system is marvellous, having listened to my grandfather for many years talking about what it was like to raise funds to be a candidate back in the 1920s and 1930s; how the vice-president of the Conservative association was the one who put up the money for him, a Liberal candidate, to run back in the 1920s. It was a worrisome memoir I wanted to have no part of and happily, as a result of the reforms of 1974, I have not really had to worry about it.

As I told the Premier on the day earlier mentioned, there are a couple of things I find offensive about our current situation. I do not know how one goes about changing this. In my own mind, I have a firm, fixed notion that the day is now here when we ought to cap the expenditures at the riding level.

According to the returns, the Progressive Conservative candidate in my riding is now faced with a \$7,000 debt, and the poor guy is out there trying to nickel and dime it out of people who do not remember as easily after it is all over. That bothers me. He ran an excellent campaign. He is a fine man who will probably be running again.

I think it was enough to ask him to participate in the process. I can well imagine it is the candidate who is left with the obligation to come up with these funds. It is sad as well because I know that, while he spent \$27,000, I spent \$19,000. We should both have been limited to \$17,000, and we could have run perfectly adequate campaigns.

I do not believe there is anything antidemocratic about the limitation principle at that level. I do not, never have and never will accept the notion often put forward by other members that one can buy elections. I do not believe that. The spending of a lot of money at election time can be counterproductive. It sets a terrible example.

9:40 p.m.

I am embarrassed to be part of a process where every four years we throw a lot of money around, all of us, and in the meantime, particularly in these days of shrinking revenues for many people, we try to preach a lesson on the virtue of restraint. I do not know who out there ought to believe it after we finish our own self-indulgent election campaigns.

I think that, really and truly, if we set a fair

and reasonable ceiling at the constituency level, we would all be forced to live within more defined guidelines. Just because we can raise the money, I do not believe there is any particular reason why we should all go out and spend it.

In my own case, I dare say that if a ceiling of about \$17,000 were placed on my riding of 29,000 voters, the \$4,600 subsidy the taxpayers pay to my campaign would probably be unnecessary. Quite frankly, I think that is not a bad way to go. I just think it violates the spirit of the electoral reform of the early 1970s if I am sitting there with a \$5,000 surplus after all campaign expenses are paid, and the Treasurer of Ontario comes along and adds another \$4,500 to that. I cannot defend that.

I say as well, when I think that, as my accountant tells me, the most attractive tax break I enjoy is my political tax credit—it is the best of all the tax credits I have; that does not bother me. It is a fitting comment on what I think the political process ought to be. But when I realize that the moneys paid out when I make a contribution to the North Renfrew Liberal Association, and do it properly through the dictates of our legislation—that is, if I pay provincial income tax and, given my modest honorarium, I do—that is simply a direct drawdown from my provincial income tax payable. That is my understanding. It certainly seems to represent a tax expenditure for the Treasury of Ontario.

With these open-ended campaigns, I do not know how people spend \$100,000 even in an urban riding. An urban riding was successfully won federally with the expenditure of a quarter of that amount. I am quite prepared to argue that 60 per cent of what was spent of that reasonable amount had to be wasted. I might add that I do not know of another process where there are more pressures to waste money than in an election campaign. I have great sympathy for anybody trying to hold the line in the absence of a firm cap, because you are going to be an old man or an old lady and a very tired person trying to rein in the very enthusiastic pressures that are there to spend all that is available.

When people say, "I can raise the money; why shouldn't I be able to spend it in an unrestrained way?" I say simply that all or most of the dollars you are spending are subsidized by the taxpayers, and that becomes a different matter.

I simply plead in the name of common sense and good politics: If we are going to leave the open-ended system, I hope we will come to

some determination between now and the next election as to how we can control that at the local level. If we cannot, and if we are going to leave it open-ended, then please let us not, as a group of people in this place, expect Joe Q. Public, through this important, positive and, I think, necessary political tax credit system, to fund and subsidize that open-ended extravagance. That is where I have a very deep problem.

I think if we put a cap on, we will draw in the pressures, we will control them somewhat, and I hope we will find the day may come and the formula may be devised where we do not need to pay some of us the subsidy. I would certainly like to investigate that.

Finally, as mentioned by the leader of the third party about the constitutional matter, I have had a very difficult time for the last year with that situation in this place. I want to say quickly and candidly that I happened to be home in early November for a specific reason, to watch the final first ministers' gathering when the accord had been settled. As a matter of fact, I had been in Ottawa the night before, and I had been speaking to the Prime Minister's principal secretary early in the evening, when things did not look very positive.

I was expecting to be called to my television set that day to hear, "Well, they tried hard and it was almost there but it just did not come together." So it was with not a little bit of surprise that I sat there and watched the announcement of the accord. I am not going to engage in speaking on the accord, because I do not feel qualified to do so. I am pleased that the process was able to work to a point where that level of consensus was made possible.

But I want to say something personally and positively about the role that the current Premier played, at least in that session. I want to say to the Premier that I was pleased, proud and moved, for perhaps one of the first times, by his sensitivity, by his eloquence and by his emission of genuine feeling. He spoke for me that morning when he spoke as he did.

I had been angry, hurt and disappointed about the Premier's role in some of these national affairs in the national capital about 13 months ago. I had a hard time coping with that, because of my interest and involvement in politics. I certainly have no *tabula rasa* of virtue—I have made my mistakes, and some of them I deeply regret now—but I had felt and wanted to believe that a new nationalism would evolve as we moved into what I think is a critical time in our history.

I want to say, as a young Canadian, as someone proud of the achievements of this country in all its component parts has been able to achieve over all these many years, that I remain this day, December 14, 1981, in many ways deeply pessimistic about the next decade. I hope and pray that we are able to put a floor of positive and new nationalism among all Canadians.

I have said to my colleagues privately that I am surprised that on previous occasions that this Premier, when given the rare opportunity that falls to the first minister, has not seemed to want to inspire, as I want my leaders to inspire me.

As the Premier heads into the last years, and maybe these last years will be many years, I do not know, I just hope that he will think back to what he said and how he did it that morning and try to remember that there are many of us out there who can and often will set aside the partisan differences that divide us so often and so necessarily, I suppose.

I want to tell the Premier now, because I have wanted to tell him for a couple of weeks, how happy I was that morning, how I began to feel that maybe what he did in Ottawa 13 months ago was necessitated by internal pressures that I, a lowly country back-bencher for parliamentary provincial opposition, could never begin to understand.

I hope that is the case, because I will tell the Premier that to this day I hurt deeply over what went on in the Carleton by-election—not because of the results; I campaigned early in that by-election, and I was prepared. I can tell the Premier—and I would have told him if anybody had asked me—that my friend from Manotick and I talked about this. It was never there for us, regrettably, and that is what made it all the more painful.

Why, I asked, in the face of these realities, is our first minister here in this national capital region weeks after the constitutional initiative announced by the Prime Minister—one that he was prepared to associate himself with—and why is he personally and by all reports regularly and by some reports happily prepared to indulge in the exacerbation of the ancient sore of this country?

That may be a question that we can discuss at a later date. I just do not want to make too much of it. I was proud of the Premier's presentation that morning. I thought for one of the few

times—I certainly hope not the last time—that, as my Premier, he inspired me as his citizen. For that I was thankful.

9:50 p.m.

Mr. Chairman: There are seven minutes remaining in the time of the estimates of the Premier and Cabinet Office. Does any other member wish to participate? The member for Ottawa Centre.

Mr. Bradley: Did somebody say there were seven minutes left?

Mr. Chairman: I did.

Mr. Cassidy: I am sure that in seven minutes the Premier can at least give us some answers on the two questions raised by my colleague. One was the question of the limitation of election expenses. It strikes me that this is not a bad idea. We have suggested it on numerous occasions. In my own riding the Conservatives actually had to get a candidate from Gatineau; they had to bring him back across the river because they could not find one in Ontario. But, apart from that, Mr. Chairman, the imbalance in terms of spending is not good for democracy in this province. I would like the Premier to respond on that one.

The other point that was raised by my colleague the member for Renfrew North was the question of some adequate facilities for television in this chamber. I was in the House of Commons about a month and a half ago and had a chance to look at how the system has evolved there. In each corner and opposite the two benches they have robot television cameras. They are very small and very unobtrusive. They fit into the background and they do the job. They provide a feed which the television networks can offer.

The Premier's trouble is the number of cameras up there. There are seven or eight—I do not know how many, but there are an awful lot now. In fact, before long we will get cameras from one end to the other expressing the interest that the television media has got. This is a matter that I think one of the committees should look at, having been a member of the Camp commission which looked at this and made the original recommendations. That got TV in the door, but somehow the door has not widened any further in the past five or six years. Surely it is time now.

I would like to hear some positive and supportive comments from the Premier about that, because I think we could get on with the job. Some time within the next six months we

could ensure a modernization of TV access so that we have much better television access and a system into which the networks could plug, a system that would flatter the Premier—let me appeal to his vanity—in terms of camera angles.

Hon. Mr. Davis: There you made a mistake.

Mr. Cassidy: Maybe I made a mistake. I have no vanity to flatter on this. I will not be in this position by the time the cameras come to their new positions. But I do suggest that to the Premier, and I would like his answers on both of those questions.

Mr. Chairman: Mr. Premier, you have four minutes.

Hon. Mr. Davis: Mr. Chairman, I want to make it abundantly clear that any decision that is made on television will not be to reflect upon my vanity, either the lack of it or concern about it. I just wanted to make that abundantly clear. Members are dealing with a person who does not worry about vanity. I do not care where the cameras are.

Mr. Cassidy: He says in a vain fashion.

Hon. Mr. Davis: No. That is one thing that my friend may suffer from, but I do not. I am delighted to consider it.

Mr. Bradley: That is not what Darcy says.

Hon. Mr. Davis: The member always likes to chime in with irrelevancies.

Mr. Cassidy: No. He got a gas company; you got an oil company.

Hon. Mr. Davis: No, no. I meant the member for St. Catharines (Mr. Bradley). We will deal with two or three matters that were raised.

Interjection.

Hon. Mr. Davis: Oh, he did not go for gas at all; Darcy went to the private sector.

Mr. Conway: What was it that Norm Atkins said about the—

Hon. Mr. Davis: No, that was Alan Eagleson; and my friend is far too young to remember it. It did not upset me; it upset my wife a little bit, because he made some comments.

Mr. Conway: I just know that you dress differently from the way you did then.

Hon. Mr. Davis: That is right.

Just to deal very briefly with the Board of Industrial Leadership and Development program, I would say in the spirit of the contribution of the member for Renfrew North that I urge him to reflect on the timing of BILD. I know some members of this House might

consider it to have been a somewhat politically inspired document. I do not know why they would think that.

It is interesting. I found very few people in the private sector who are not part of the political process who have suggested it. It has been very well received, not only in the communities that are being impacted but also by the private sector itself. When the BILD document was produced—and I read about a lot of stuff that never happened—there was no decision to have the election shortly thereafter. There was every possibility.

The months of May and June were being explored because, I must confess, I prefer the warmer to the colder weather. The timing of it was not as politically motivated as I am sure you in your own way suspect it was. I assure you it was not the case. I will not convince you and I will not waste any time trying. I am just telling you factually it was not so.

I listened carefully not only to my own colleagues but to the—and I do not call them pleas—suggestions from the member for Niagara Falls (Mr. Kerrio) and the member for Erie (Mr. Haggerty) with respect to the location of certain things in their ridings. If I could share a little experience, I think that even if one is in this profession a long time, one should never be reluctant to plead the cause of one's constituency. I do not think one should be reluctant to express in a public way that one would like to see a government policy that would have a positive impact on one's community.

I would give some advice. I have been in it now for 20-some years. I would not hesitate to stand up in this House and say to the Minister of Industry and Tourism (Mr. Grossman): "I would like to have that in Brampton, Mr. Minister. Will you consider it?"

Mr. Cassidy: You never do. You never hesitate.

Hon. Mr. Davis: I have news for you. If I said that to him, chances are he would consider it seriously. I say this kindly to the honourable member. You should not be reluctant. You should not be sort of consoling the members you referred to. I do not blame the member for Cambridge (Mr. Barlow) getting up. If I were the member for Cambridge I would get up. I would say to the minister, "I want consideration."

Mr. Nixon: Oh, oh.

Hon. Mr. Davis: Certainly he should. But that

should not surprise you. Those are what our responsibilities are and you should not be reluctant to do it.

Mr. Conway: That's not the point at all.

Hon. Mr. Davis: I know the point you were making.

Mr. Conway: Hoisting these two poor, unfortunate souls on their own petards.

Hon. Mr. Davis: I can assure you I know them both very well and they do not consider themselves as unfortunate souls. They are here to do a job as you are here to do a job. I feel a little better tonight because I thought you had taken a pledge of silence for this whole session. I have heard more from you tonight than I have heard in the past several weeks, and I am delighted.

Mr. Chairman: Speaking of unfortunate situations, Mr. Premier—

Hon. Mr. Davis: Am I prolonging it?

Mr. Chairman: —guess what?

Mr. Cassidy: Maybe he is appalled by the people running to replace his leader.

Hon. Mr. Davis: I am surprised, quite frankly, that the member for Renfrew North has not entered the lists. He might be my second choice after the member for Brant, Haldimand, Norfolk, Oxford and all those other places he purports to represent.

I am delighted we have exhausted the clock and that I have received so many constructive suggestions from the members opposite. I say that genuinely. I may or may not be able to accommodate all the things they have raised in questions. I am also delighted, and I say this on behalf of Kathleen, five children and two dogs, that you have not, to this moment, decided to lower my salary to \$1 because I would be in serious trouble if that were to be contemplated by members opposite.

Vote 201 agreed to.

Vote 301 agreed to.

Mr. Chairman: This concludes the estimates of the Premier, Cabinet Office and the Lieutenant Governor.

Hon. Mr. Wells: Mr. Chairman, we have two other items in committee of supply, the supplementary estimates for the office of the Assembly and the office of the Ombudsman. I did not know whether my friends might want to proceed with those now or would they like to leave them?

Mr. Cassidy: I do not have them in front of me and I am not sure what they are but I certainly think I would like a chance for one or two other members of my party to have a look at them. I do not think we can agree to that now.

Mr. Conway: I might feel a speech coming on.

Hon. Mr. Wells: I draw to my friend's attention there will be plenty of time in the concurrences for the office of the assembly and the office of the Ombudsman to bring on many speeches.

On motion by Hon. Mr. Wells, the committee of supply reported certain resolutions.

10 p.m.

CREDIT UNIONS AND CAISSES POPULAIRES AMENDMENT ACT

Hon. Mr. Walker moved second reading of Bill 151, An Act to amend the Credit Unions and Caisses Populaires Act.

Hon. Mr. Walker: Mr. Speaker, in the light of the time this evening and the fact we will be moving into committee of the whole House at some point to discuss an amendment I will be proposing—a copy of which has been delivered to the honourable members and is somewhat substantial—and in the light of amendments that are being proposed by members of both opposition parties, my comments will be necessarily brief.

The bill has been necessitated by various events that have occurred throughout this province and every other province of Canada, and indeed throughout the states of the union. There have been a number of problems involving the matching of moneys and hence the need to ensure that there is a measure of protection for the benefit of those people who have deposited money in their local credit unions. Consequently the act was brought forward and it is relatively straightforward.

Some changes are proposed. In section 2, for instance, there will be a number of changes made to the actual composition of the board of the Ontario Share and Deposit Insurance Corporation and to the capacity of the Lieutenant Governor in Council to be able to remove directors from OSDIC, as the case may be. This is necessitated by virtue of the fact that OSDIC itself is made up of people who are from the league and from the federation and from provincial appointments, in the form of three each. As a consequence of that, it would be incorrect if we did not have the capacity to vary

that accordingly, should it be necessary to become directly involved with member unions or with the league.

The amendment that will be before us, copies of which have been distributed to members of the opposition, is substantial in the sense that it allows for the creation of a mandatory liquidity pool. Normally, we would not be inclined to do that sort of thing unless there was a spontaneous reaction from within the member unions themselves. It is fair to say that a spontaneous reaction has come forward. We have the request of the special task force that was set up on November 7 by the Credit Union Central of Ontario—at least by the member leagues of Central—who gathered for the purposes of a special meeting to discuss some of the concerns they had at the time.

The member unions created the special task force. That special task force has been meeting in the interim with a view to establishing its future course. Having resolved on a future course that included a requirement of a mandatory liquidity pool, that has now been submitted to us, and we did the drafting of the request for a mandatory liquidity pool. The request came forward in a very strong and very supportive way from the member unions. It is fair to say there is definite support in writing from something in the range of 80 to 85 per cent of the 100 largest credit unions among the 840 credit unions that belong to Central. Of the 100, they represent something like 80 per cent of the assets. So members can see there is a substantial acceptance of it, as they feel this is the best and most direct approach to resolving some of the concerns they have today.

With that, I would like to end my opening statement, because I fear we will be getting into clause-by-clause discussion of it and the amendments as well. Perhaps it is better left until that point to discuss in more detail what has arisen.

Mr. Bradley: Mr. Speaker, I rise to indicate to the House that we will be proposing some amendments of our own, but we certainly accept the principle of this bill and the necessity for it, particularly in light of the economic times we find ourselves in now, and in light of the circumstances that are facing some of the credit unions across this province.

I am sure the provincial government was not simply looking for a piece of legislation to bring forward. It has sufficient work on its plate. A lot of the initiative for this came not from the government itself but from the credit unions and the *caisse populaires* across the province

who recognize their own vulnerability in view of such things as happened with Astra Trust and Re-Mor.

I do not wish to draw a parallel except to say that during the time the justice committee was discussing it, one of the things that concerned the managers who operate credit unions was the fact that because of the publicity that surrounded Astra Trust and Re-Mor and its accompanying companies, they were starting to feel the pinch, in terms of people starting to wonder if there was anything safe in this country except one of the banks, unpopular as they might be with those who owe them money.

There were many who were starting to come to the conclusion that was the only safe investment to be made. This was a concern expressed to me by certain managers of credit unions. It is very understandable they would want to see the provincial government enact such legislation as would have the effect of maintaining the kind of confidence the public has had over the years in credit unions.

We in this House recognize the need for stability and for that kind of confidence in our financial institutions, the credit unions and *caisse populaires* being an important part of that community.

The credit unions themselves recognized there is a certain sacrifice to be made of the independence they enjoyed and the ability to govern themselves completely. In order to maintain the confidence in them through legislation, it was necessary that the minister bring forward this bill. They sacrificed their independence to a certain extent. They sacrificed the freedom of action they might have had in the best of times when confidence was there without any government movement or legislation.

In recognition of this they are prepared to accept that adverse effect on them. They are prepared to accept the fact they will not have the ability to make the kind of decisions they have been able to make by themselves in the past. The minister certainly would not be proceeding with this bill at this time in the Legislature, unless he was reasonably certain that he had the support of *caisse populaires* and credit unions across this province. He would not be proceeding with it unless they had come to his ministry to say they were concerned and wanted to see something that would help the movement as a whole.

We, in the opposition, in the justice committee, in the House, and in other forums, have called for a greater monitoring by the provincial

government of financial institutions. We have even been prepared to accept restrictions that would be designed to ensure the financial stability of these institutions. Once again, I use the word to maintain some kind of confidence in them.

It would be hypocritical of us at this time, and contradictory, if, having said that, we are now prepared to say we would not agree the provincial government should take the kind of action which is contemplated in this bill. It is obvious that we will be offering our support for the general principle of this bill.

There is a well-known personality in Ontario—he is becoming more well-known, and will be known to the member for Parry Sound (Mr. Eves) because he was seven votes away from being the member of the Ontario Legislature for the provincial constituency of Parry Sound. His name is Richard Thomas, sometimes known in different media than this Legislature—if we can call the Legislature a medium.

He is an individual who has been involved in the credit union movement at the grass-roots level, and he expressed concern, as some people did across the province, about the grand meeting that was to take place on November 7. There was a full and frank discussion—I think that was the terminology used—of the circumstances faced by credit unions.

He indicated to me that while there was considerable support at that meeting for the six per cent levy on credit unions that will be payable to Central, there was some disagreement with it among those who might be influential within the credit union movement. But if we were to talk to people across the province, as we have done, we get the reaction—we got phone calls as late as 6:30 this evening from our local people involved with credit unions and caisses populaires—indicating that despite some of the real concerns they have they are prepared to see this legislation go forward.

10:10 p.m.

Mr. Thomas did bring forward three interesting points to allow at least some freedom on the part of credit unions to redeem themselves or at least to explain themselves in difficult circumstances. There was a resolution to be presented to this meeting on November 7, but it could not be presented because the meeting was called for the specific purpose of discussing the levy. It indicated the following: “At the member credit unions’ request, the board of Credit Union Central, in the name of member credit unions,

to ask the honourable Gordon Walker to make the following subamendments to his amendments to the Credit Unions and Caisses Populaires Amendment Act now preparing for second reading in the Ontario Legislature.” This resolution, which I am sure the minister is probably aware of from other sources, indicated three areas of concern.

First, they were concerned that the conditions would be stated under which the direction of league affairs will be returned to the league. They were hopeful of having that, and I recognize there are going to be different reasons given for different credit unions or different credit union leagues placing themselves in jeopardy as far as the government is concerned. So it is difficult to pin those down. But he was concerned about knowing those conditions under which the direction of league affairs could be returned to the leagues and that they be stated.

Second, they were concerned that prior to ordering the takeover of league affairs and property, the Lieutenant Governor in Council grant time for member credit unions to propose alternative measures to correct whatever circumstances provoked the impending takeover. My colleague the member for Prescott-Russell (Mr. Boudria) will be presenting an amendment later on during consideration of this bill, which may go some way at least to alleviating this concern.

Third, they were concerned that should the takeover occur, a series of reviews would be guaranteed that would give both Central and member credit unions the opportunity to demonstrate they can operate Central’s affairs to the standards set out in the subamendment proposed—that is, the conditions under which they could be reinstated.

So I think there are two things we are looking at. Before we take them over they want some kind of chance to explain themselves. I recognize that sometimes we have to move pretty quickly, but they would like some kind of chance to explain themselves. They would also like an opportunity to be able to get back in the good books of the government and to take over their affairs once again.

There is also some concern expressed about arbitrary appointments, as they are referred to, and whether there might not be an appeal for a person who is bounced from the board. I recognize one of the reasons for bouncing a person would be if he or she were representing one of the credit unions which was in disrepute

and taken over. Then there would certainly appear to be a conflict of interest if that person were allowed to stay on. But if a person were bounced from the board for another reason, I suppose that is what they are looking at in terms of an avenue of appeal.

I think I have expressed the main concerns people have brought forward to those of us in opposition. I reiterate, generally speaking we support this legislation. We feel it is necessary at this time before we recess. For that reason, we will be as co-operative as possible in passing this. We hope the government will seriously entertain our amendments and we would like to scrutinize carefully the other amendments that are put forward by the government and the third party.

Mr. Swart: Mr. Speaker, I am rather pleased to be the critic this year for the Ministry of Consumer and Commercial Relations when this very significant bill on credit unions and caisses populaires is before us.

I spent quite a number of years as a director of the credit union in Thorold. As a matter of fact, I called the meeting to found the Thorold community credit union. We had to wait for the legislation to be changed because that was the first community credit union in any town in Ontario. I have a real interest and a warm feeling for the whole credit union movement, as does this party.

I have already mentioned that the bill we have before us is of real significance. I think we would all agree that when it first came in it was a rather simple bill although it had tremendous import. It was rather straightforward. We now have four amendments before us on the bill; the government has two, the Liberals have one and we have one. Certainly, the main government amendment is one of very significant importance. In looking it over, I think the amendment is longer than the bill itself and certainly introduces a whole new area of the bill's operation.

I want to say, as did the member for St. Catharines, that this party agrees with the government there is a necessity for the bill at this time. There is a necessity to have it passed in this session and not be left even until the last day. We will therefore be supporting this bill. Given the current circumstances in society it is necessary, or at least most of it is. It is absolutely essential to us here and I am sure to all members of this House in every party that the continued health of the credit union and caisse populaire movement in this province be maintained.

The bill as it was originally submitted did three main things. It gave the government the autocratic power to replace any member of the Ontario Share and Deposit Insurance Corporation; it gave the government the power to guarantee loans of the corporation, the credit unions and, if I remember correctly, the Ontario Credit Union League as well; and it gave the government the power to take over the management and control of the Ontario Credit Union League. Although it does not say so in so many words, it does give the power to take over OSDIC and the Ontario Credit Union League, the two major central organizations that represent the credit unions in this province. That is a pretty serious matter and it has become necessary and desirable, quite frankly, to do this.

I am not sure I would go as far as my colleague the member for St. Catharines in saying it would interfere now with the operation of the credit union league. Perhaps I have put the wrong interpretation on it. In reading this over, it seems to me it does not interfere with the operation of the credit unions per se but it certainly gives a right to intervene and interfere very dramatically in their operation.

Therefore, one might think credit unions are in a desperate situation. I want to say, from discussions with the officers of various credit unions and the Ontario Credit Union League, that this is not the case. This is not a desperate situation. This is a bill that is being brought in to provide, as we should, the ability to deal with a situation that could possibly arise at a future date.

It is as well to bring it in now rather than let what happened in Quebec happen here. There was a run of something like \$150 million on the credit union. That money was taken out before the government could take the necessary action to give the assurance necessary so people would not withdraw from the credit union.

10:20 p.m.

What has taken place in this province with regard to Astra Trust and the people who had deposited there, and with regard to Re-Mor and various other organizations like this, makes the public sceptical generally about financial institutions.

This power the government is giving itself on the recommendation of the Ontario Credit Union League and most of the credit unions, therefore, is desirable. Inasmuch as many of us may not like to see the necessity for it, the bill is a further reflection on the current state of the economy. I suggest it is a condemnation of

governments in this nation and in this province that these guarantees to the credit unions and to the credit union league should be necessary.

Here we have had viable, well-run financial institutions and an umbrella association. Through no fault of their own, like so many people and individuals in our society, they find themselves, looking down the road, in a position that could be very serious. In the case of the credit union league, they now find themselves in an about-turn position from one where they were increasing their assets. They are now finding they are having to pay out substantially more than they are able to take in.

When it comes right down to it, this whole thing is simply the result of the high interest rate policy of the federal government. If it had intervened six months or a year ago to reduce the interest rate, as it should have for the good of the economy generally, this kind of bill would not be necessary at this time.

The federal government has refused to intervene. I guess it is philosophical, although everyone knows it would have been tremendously beneficial for our society, whether we are looking at the farmer, at the home owner, at the small business, at the consumer who wants to purchase capital goods or, as we are concerned tonight, at the credit union movement.

It has severely damaged almost all sectors of our society. We have to have a bill like the one before us now which gives the government powers to take over the central credit union movement in this province because of the policies of government. That government across from us has never really stood up and said to the federal government, "It is time you intervene with the Bank of Canada to lower those interest rates, step by step, at least until they get down to the inflation level."

We are in this situation and we are going to be supporting this bill. Of course, there is another factor that has caused the Credit Union Central to be in the rather difficult position it is in. As we all know, they had loaned substantial funds to Ontario Hydro, I believe in the neighbourhood of about \$120 million, on a long-term basis and are getting 10 per cent interest for it.

When they have to pay out interest of 18 or 20 per cent, obviously they cannot continue. One thing that could have been done would have been for Ontario Hydro to have refinanced and to have agreed to pay the going rate of interest for the money invested there by the credit union league. But they decided not to do this and an alternative then has to be for us to pass this kind of bill in this House.

It is my understanding the proposals have been made part of the whole package and accepted by most credit unions in this province who put six per cent of their assets with the Ontario Credit Union League and settled for 10 per cent interest on that so the Ontario Credit Union League will not be going further and further in the hole.

I commend those credit unions which agreed to do that. There was no other alternative, it seems to me. Those who decided not to go along with that—I guess that was their own right to decide not to go along with it—have perhaps done something of a disservice generally to the credit union movement across this province.

As I said, when this bill was tabled in this House it was a fairly simple bill. Now it has become much more complex because there have been amendments moved—at least one of the government's amendments is going to change the bill dramatically and introduce a whole new concept. That amendment too, it seems to me, is a desirable amendment.

I want to do a more thorough examination of that amendment and have much broader discussions before we actually vote in favour of it in this House, as I suspect we will in the end. The fact is, of course, that because of the four amendments which we have and because it is now 10:25, we will have the opportunity to do that before we proceed further with this bill; I would anticipate tomorrow.

The setting up of the mandatory liquidity pool is certainly a major move. The credit unions that are in the league, as I understand from the bill, will be required to deposit 10 per cent of their total assets with this mandatory liquidity pool. It seems to me there may be some problems when they already have the 10 per cent deposited elsewhere under the present act to find the other 10 per cent. From members of the task force, I understand this has probably been worked out in a satisfactory manner.

However, it is my feeling that each of us should have the opportunity to have much more discussion on this before we deal with it tomorrow, as I presume we will be dealing with it then. So I welcome that additional time I will have.

Also, the amendment which has been moved by the party to my right, perhaps to soften the arbitrariness, if I may use that term, of the takeover, seems to have some merit. On the other hand, I recognize that time is often very essential in something like that. If a run should start on the credit unions, it seems to me one

might have to move in very quickly. If I read their amendment properly, it provides, I think, a total of some 16 days—two weeks and two days. In some instances, it might just be too long to take the quick action that would be required.

We dislike the necessity for this bill that we have before us. Because we do, we intend to move an amendment to provide a sunset clause to those two parts of the bill which authorize the government to, in effect, take over the operation of Ontario Share and Deposit Insurance Corporation and the operation of the Ontario Credit Union League.

I am sure the minister will be only too happy to comply with that proposal because it is government policy to put sunset clauses in their bills now, so it is necessary to renew it at two and a half years or three years time.

If it is necessary to have it, we will support that renewal. It seems to me that if things should return to normal—and we are all beginning to

wonder what normal is in the monetary field at least—but if they should return to what we consider normal then this bill would no longer be necessary and, it seems to me, it should automatically expire. So we will be moving that sunset clause in committee of the whole House.

I see it is now 10:30 p.m., and I have just concluded all the remarks that I wanted to make on second reading of this bill. I will take my seat so that we can adjourn right on time.

Mr. Shymko: Before we adjourn, Mr. Speaker, I would like to introduce a group of concerned citizens. Since it is very unusual at this late hour to have people listening to this eloquent debate today—

Mr. Speaker: Order.

On motion by Hon. Mr. Walker, the debate was adjourned.

The House adjourned at 10:31 p.m.

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No. 130

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Tuesday, December 15, 1981

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, December 15, 1981

The House met at 2:04 p.m.

Prayers.

HIGHWAY TRAFFIC SAFETY

Mr. Speaker: Before proceeding with the routine business, I would like to address all members of the Legislature on the alleged point of privilege brought before the House by the member for Rainy River (Mr. T. P. Reid) with respect to the newspaper article in the *Globe and Mail* of December 12, 1981, relating to remarks made outside the House by the Attorney General (Mr. McMurtry).

After carefully reviewing the article, I find that the remarks by the Attorney General, while perhaps unfortunate, hardly constitute a breach of privilege. I might say to the members of the House that had the remarks been made in the House during the debate on the Highway Traffic Act, it is likely I would have called on the minister to withdraw the allegations against the official opposition as being out of order in accordance with standing order 19(d).

Since these statements were made outside the House, I can hardly be expected to rule them out of order as the very fact they were made outside the House takes them outside my jurisdiction. I find I am reinforced in this opinion by Beauchesne's *Parliamentary Rules and Forms*, fifth edition, page 12, paragraph 19, subparagraph (3), "Statements made outside the House by a member may not be used as the base for a question of privilege."

The member made reference to the fact that the former member for High Park-Swansea (Mr. Ziemba) made comments in a similar vein directed at the Premier (Mr. Davis) and the government. After reviewing the records of debates in 1975, I find at page 747 that even in that situation the Speaker of the day stated that the matter happened outside the House and therefore he had no control over it. However, at page 768, Mr. Ziemba rose on a point of privilege and apologized to the Premier for his statements made outside the House. He was not ordered by the Speaker at the time to withdraw the comments.

I might also add that I have been able to discover three separate occasions when Ontario

Speakers have ruled that statements made by members outside the House are not subject to the rules respecting unparliamentary language, which would include imputing motives.

On March 9, 1965, Mr. Speaker Morrow ruled: "If the accusation by one member that another is a liar is made outside of the House, there does not have to be a retraction in the House. If the statement was made in the House, then I would ask the member to withdraw it in the House."

On October 9, 1969, Mr. Speaker Cass ruled as follows: "Yesterday the member for Sudbury East raised what he deemed to be a matter of privilege concerning statements made by the member for Nickel Belt outside the House. I pointed out to him at the time that I deem it no privilege of the House or of the member that is offended by remarks made by a member outside the House."

On October 6, 1980, Mr. Speaker Stokes ruled: "I am sure it is regrettable any time any member of the House accuses another of telling a falsehood. However, it was something that was said outside the House. The member is responsible for what he says out there and that is something over which we have no control here in the House. If he does not choose to withdraw the remark or apologize for it, there is nothing I can do. It was done outside the House."

Mr. T. P. Reid: Mr. Speaker, I thank you for that ruling and I concur in it. It shows great wisdom on your part. I would only say that, since the comments were made outside the Legislature, I would hope the Attorney General would act in the spirit of the former member for High Park-Swansea. I am sure he would not want to be outclassed by that particular individual and will do the right and proper thing and withdraw those remarks. He demeans not only himself but his office if he allows that to continue.

Hon. Mr. Grossman: Mr. Speaker, I might welcome the mayor of Thunder Bay, Mr. Assef, and members of his council.

Mr. Nixon: He would have made a great member of the Legislature.

Hon. Mr. Grossman: No, not at that time.

Mr. Stokes: Why are you discriminating against other members of the delegation on this side of the House?

Hon. Mr. Grossman: It was a generic introduction.

2:10 p.m.

STATEMENTS BY THE MINISTRY

MICROELECTRONICS TECHNOLOGY CENTRE

Hon. Mr. Grossman: Mr. Speaker, today I am making an announcement which relates to the establishment, location and mandate of a new microelectronics technology centre.

The members of this Legislature will recall that when this government announced the economic development strategy of the Board of Industrial Leadership and Development, we pointed out that high-technology industries were a major priority to any nation that hopes to be domestically and internationally competitive in the next decade and beyond.

In fact, the development of high technology and its application throughout the economy hold the key to our future economic growth and prosperity. How we plan and nurture these industries today will determine to a great extent the health of our economy tomorrow.

Other jurisdictions are vigorously confronting this same problem. As manufacturing spreads to lower labour cost countries, productivity improvements through technological innovation become more than ever a key part of any prudent industrial strategy. Ontario manufacturers need the tools to upgrade their capacity to compete with the best high-technology-supported firms in the world.

Last month when I tabled the report of the Ontario task force on microelectronics, I noted at the time that it had fully endorsed the BILD strategy to establish a microelectronics technology centre and that it had called for the early establishment of such a centre. Today, I am pleased to announce that the new microelectronics technology centre will be established in Ottawa.

Mr. Bradley: Albert gets action!

Hon. Mr. Grossman: As a matter of fact, the member for Ottawa East (Mr. Roy) was the only member from Ottawa who did not contact me on that issue.

In addition, the government will continue discussions with the National Research Council with regard to the establishment of an Ontario technology transfer facility.

Ottawa was chosen as the site because it is the nucleus of a rapidly growing, export-oriented microelectronics industry. These industries have already communicated to us that they have a need for the centre's services and are prepared to help make it work.

Interjections.

Hon. Mr. Grossman: Don't you care about microelectronics?

This commitment assures the centre of an immediate clientele of more than 100 companies which currently employ over 7,000 people. The centre has received the enthusiastic support of the regional municipality of Ottawa-Carleton and of the academic institutions in the area.

Interjections.

Mr. Speaker: Order. The minister has the floor. Proceed, please.

Hon. Mr. Grossman: They have a hard time with good news over there.

As well, Northern Telecom and Mitel have offered to transfer technology to the centre and other companies in the region have pledged their assistance and co-operation through the provision of staff and technical assistance.

In addition, the National Capital Commission has offered an attractive site to the regional municipality of Ottawa-Carleton for the location of the microelectronics technology centre. The proposed site is on Moodie Drive at the Queensway in the heart of Ontario's high-technology area.

We are undertaking this major new initiative because small and medium-sized Canadian firms need to have secure access to custom-designed computer chips to compete effectively. Therefore, the mandate of the microelectronics centre in Ottawa will be to provide a design, production and testing capability for these firms to acquire here in Canada the custom microelectronic circuits they need.

In addition, the centre will assist the province's emerging microelectronics industry by acting as a resource centre for design and applications assistance. It will also promote and encourage the adoption of microelectronic technology in all sectors of the economy throughout the province.

The centre will have three basic functions: It will arrange for the production and testing of custom chips using the best available technology; it will provide and arrange for design assistance and training programs for specialized microelectronic applications; and it will con-

duct programs to increase awareness of micro-electronic technological opportunities among small to medium-sized firms.

The microelectronics technology centre will report to the Ministry of Industry and Tourism with funding of up to \$28 million over five years with an immediate commitment of \$250,000 for the balance of this current fiscal year. It is projected that by the fifth year half of the operating costs will be recovered through fees, royalties and licences. Following legislation, the government will appoint a board of directors for the centre and together we will recruit an executive director as early as possible in the new year.

I am also pleased to report that Bell-Northern Research has offered to undertake a one-year contract on a fee-for-service basis for the startup and implementation phase of the centre. Construction will begin in 1982 and once fully operational the centre will employ about 60 professional people. The majority of the staff will be contract employees or personnel seconded from the private sector, educational institutions and government. Indeed, the centre has been designed to enable people from universities, industry and government to pool their expertise and work together for fixed periods of time.

The centre's largest client group will be Canadian-owned small and medium-sized firms that require advice and assistance to obtain on a contract basis their own custom-made chips. These chips are essential if firms are to be capable of offering unique products for the Canadian and international markets.

Honourable members will wish to be assured that this centre will not compete with the private sector. It has been designed to assist and complement the private sector. For example, any patents that may be obtained by the centre will be offered to Ontario manufacturers for commercial development. Moreover, we expect the promotional and educational activities of the centre will create a substantial market for the services of research organizations, private firms and for consulting engineers.

The government of Ontario has made a strategic policy choice through BILD. We will develop our high-technology industries not only to upgrade our traditional industries but as a cornerstone for our longer-term program of industrial restructuring, economic diversification and expansion.

Because this is a major new initiative, we sought the advice of many groups during the

course of our deliberations on the mandate and location of the centre. We were most gratified by the response of individuals, municipal officials, experts from our leading universities, the members of our task force on microelectronics and many companies which have offered assistance to enable this centre to get under way.

High technology was one of the six major themes of BILD's economic development strategy for the 1980s. As the BILD program noted, Ontario must continue to compete successfully in the international marketplace if we are to maintain our economic growth. To compete successfully we must be able to utilize modern technology to ensure that our emerging industries are able to grow and prosper.

This government is proud of its record of support and its commitment to high technology. I shall soon be making other announcements in the area of high technology.

Mr. Nixon: You mean the others are designed to keep them quiet a bit longer. Keep them on the hook up there in Cambridge.

Mr. Speaker: Order.

Hon. Mr. Grossman: In the event some members did not hear that, let me repeat: I shall soon be making other announcements in the area of high technology—indeed, later this week. These will expand on the BILD commitment to implement medium and long-term economic diversification and growth strategies in this province.

I believe the microelectronics centre I have announced today to be located in Ottawa will enable Ontario to play a prominent role at the leading edge of high-technology development in North America and beyond.

BILD-FUNDED FORESTRY PROJECTS

Hon. Mr. Pope: Mr. Speaker, I am pleased to announce that the sixth of my ministry's forest management agreements was signed this morning with Mr. W. J. Johnston, vice-president of Abitibi-Price Inc. The agreement, which is funded entirely by BILD, covers the 7,524 square kilometre or 2,905 square mile Spruce River forest in the Thunder Bay area, and is the second forest management agreement entered into with Abitibi-Price.

2:20 p.m.

Under the terms of the Spruce River agreement, the management plan provides for sustained-yield harvesting of the forest area over a 20-year period. During that time, the company assumes responsibility for tending the

forest, regeneration of cutover lands and construction of necessary roads. The ministry will pay for the cost of regeneration. Road construction and maintenance will be subsidized by the crown.

This agreement reflects my ministry's new policy of providing for public interests in the management agreement. Over the past several months, a series of consultations and meetings with citizens and special interest groups, plus examination of the forest area by biologists and other experts, has led to exclusions from the agreement of certain areas that do not contain a forest production base.

These exclusions amount to an area of about 10 to 15 per cent of the harvestable area. The exclusions to be built into the agreement will protect both existing and potential park and reserve areas, cottage and camping areas, canoe routes, road access and mining sites in the Spruce River forest. Fish and wildlife habitats have also been protected. Eagle, osprey and heron nesting sites will be safeguarded by no-cut zones, moose habitat will be maintained by cut and uncut stand patterns, and moose trail preservation will be ensured.

Reserves of uncut trees will be left on lake, stream and river banks to provide protection for fish habitats. Stands of timber are to be left around 12 trout lakes in the area as well as the large block of forest at the site of the Dorion fish hatchery. Aesthetic values of the forest in popular recreational areas will be maintained by 100-foot to 650-foot tree reserves. Areas susceptible to soil erosion and blow sands will be protected to maintain the productivity of these fragile areas.

By considering all the land uses in the agreement area, we have designed management programs that are concerned with much more than timber allocation. Eventually, about 30 FMAs will cover all the harvestable timber crown land in the province and will help us achieve our goal of integrating all harvest and regeneration procedures. By including public participation in the planning process, we ensure the long-term benefits to all users of the forests.

As is the case in all our forest management agreements, this FMA will be subject to a thorough review by my ministry every five years to ensure that all conditions of the agreement are being met. If performance is satisfactory, the agreements will be extended. And, if changing conditions in the forest agreement areas necessitate further public involvement, the agreements will be flexible enough to adapt and encompass new planning details.

ORAL QUESTIONS

URBAN TRANSPORTATION DEVELOPMENT CORPORATION

Mr. Smith: Mr. Speaker, I have a question for the Minister of Transportation and Communications. He has just been on his feet and he has heard the Minister of Industry and Tourism (Mr. Grossman) speak of a microelectronics centre in Ottawa. The Minister of Industry and Tourism took pains to say: "This centre will not compete with the private sector. In fact, it has been designed to assist and complement the private sector."

Since that seems to be a reasonable policy, why does the minister not follow exactly the same policy with respect to the Urban Transportation Development Corporation? Can he explain, when employment at the Can-Car plant in Thunder Bay, which used to have over 1,000 workers, is now down to 135 and will be about 65 in the new year, why in a situation like that UTDC is going into the manufacture of vehicles business, when there exist perfectly competent manufacturers like Can-Car and others in Ontario which are presently drastically unemployed?

Hon. Mr. Snow: Mr. Speaker, that is a very good question. I would have to say that what UTDC is doing at Kingston, Ontario, is exactly what the Minister of Industry and Tourism explained. We are co-operating with the private sector in the development of a system that will produce thousands of jobs across this country in the years ahead.

Mr. Smith: The question may have been very good. I wish I could say the same for the answer.

The minister must surely know he is speaking now of a matter where cars are being assembled at Kingston, where a manufacturing process is going to go on with an existing company in that area, which certainly does not have a great record up to this point. Why is UTDC entering into manufacturing, rather than just the development of the technology?

Why is it now entering into the manufacturing phase along with this new company in Kingston when there exists a perfectly good vehicle manufacturer that has had to lay off about 1,000 people, where employment is going down to next to nothing by next year? Why would it start from scratch with a company with virtually no track record at all in the Kingston area?

Hon. Mr. Snow: I really do not think the Leader of the Opposition can say that the

Toronto Iron Works and the Central Bridge Company of Trenton, one of its subsidiary companies, are companies that have no track record. Those companies have certainly been around and in the business as long as I can remember and that is a few more years than the Leader of the Opposition can remember, although not that many.

Mr. Smith: TIW?

Hon. Mr. Snow: Yes, Toronto Iron Works and Central Bridge or Canadian Bridge, I forget the—

Mr. Smith: Central Bridge.

Hon. Mr. Snow: Central Bridge at Trenton. Those are companies that have been in the steel and manufacturing business for many years.

As far as the Can-Car plant of Hawker Siddeley Canada, I am well aware of their capabilities. They have carried out a number of contracts for this government directly and indirectly. Can-Car has built all the GO Transit cars that have been built in the last 15 years. They have had a number of contracts for the subway cars.

The honourable members of the opposition were somewhat critical a few years ago when we gave Can-Car the contract for the Canadian light rail vehicles. The members were critical that we gave the contract to Can-Car rather than to Bombardier in Quebec.

Mr. Smith: Only on the subject of tendering.

Hon. Mr. Snow: We did tender it. I can assure the honourable members that we did tender the streetcars.

Mr. Smith: Why doesn't UTDC tender?

Hon. Mr. Snow: That is how much the member knows. UTDC did tender the contract for the Canadian light rail vehicles. Although Can-Car were not the low bidders, they were given the contract for the 190 light rail vehicles. In fact, some \$250 million worth of vehicles, contracted directly by the Ministry of Transportation and Communications, UTDC or by the Toronto Transit Commission, have been manufactured in the past 10 years by Can-Car.

Mr. Foulds: Mr. Speaker, can the minister not supply this House with the information that I have asked him for on two occasions; that is, the submissions made by each of the five competitors? Will he not at least table in this House the evaluation purportedly done by UTDC of each of the competitors and submissions?

Can he explain to this House why Toronto Iron Works could submit a better proposal

when they have no track record in building transit vehicles? Since one of the primary objectives of government policy must be the maintenance of jobs and full employment, will he not consider taking over in public ownership at least part of the Hawker Siddeley plant to build these vehicles?

Hon. Mr. Snow: Mr. Speaker, first of all, I know the board of directors of UTDC met with the member for Fort William (Mr. Hennessy), with the honourable member who just asked the question, and with the delegation that is here today from Thunder Bay. I understand they met for two and a half hours this morning, from 10 o'clock until 12:30 p.m. As I understand it, it was a very good meeting. All the criteria were explained to the member.

Mr. Foulds: The evaluation was not given.

Hon. Mr. Snow: The terms of the evaluation were explained to the member. UTDC management and board of directors made the decision that the TIW proposal was the most advantageous in the long run for the manufacture of these cars.

Mr. Foulds: Table that.

Hon. Mr. Snow: The member was given it this morning.

Mr. Smith: What did the minister have to say to the delegation from Thunder Bay with regard to employment in that area, given that his ministry has also been involved in the matter of shipbuilding, another form of transportation, and where the Board of Industrial Leadership and Development program had promised the upgrading of the shipyard in the Thunder Bay area, although the facts show that, on November 30 of this year, 150 workers were laid off at the Port Arthur Shipbuilding Company in Thunder Bay?

Did the minister have anything constructive to offer to the people of Thunder Bay with regard to how they are going to benefit from the transportation business rather than be losers of employment?

2:30 p.m.

Hon. Mr. Snow: First of all, I have not yet met the delegation from Thunder Bay. The Premier (Mr. Davis) and myself are to meet them at three o'clock this afternoon. As I said, if the honourable member had been listening to my answer, the delegation met the board of directors and the president of the Urban Transportation Development Corporation this morning for two and a half hours.

I also point out that a couple of months ago my ministry and the Toronto Area Transit Operating Authority awarded a \$60-million contract to the Hawker Siddeley Can-Car plant for 71 new bilevel cars. That order is keeping that plant alive right now. It is a contract we gave to maintain employment in that plant in Thunder Bay.

Mr. Foulds: That's going to keep 80 men in work.

Hon. Mr. Snow: With all due respect to the member, that is 80 men who would not have been there if we had not arranged that contract. I point out that this was a negotiated extension to the previous contract, under which that company built 80 of the bilevel cars. They are excellent cars and have proven out very well. Unfortunately, the sales efforts of Hawker Siddeley have not been that great. They have not been successful in selling that car to other users, although I do understand, from discussions with the company, that they have a number of discussions going on as to possible sales at this time, but nothing firm.

With regard to the BILD commitment for the shipbuilding industry, that matter is being worked on very actively by my ministry at this time. Three locations for assistance to the shipbuilding industry are being considered: Port Weller, Collingwood and Thunder Bay. Negotiations between the federal government, ourselves and the three companies involved are going on at this time. As soon as something is concluded, I assure the members that the House will be the first to hear about it.

COVERAGE FOR PROSTHETICS

Mr. Smith: I have a question, Mr. Speaker, of the Minister of Health. The minister may be aware that I had occasion in the Premier's estimates to read two lists into the record, a list of prosthetic, orthotic and assistive devices that are not covered by the Ontario health insurance plan, and a list of the features of the luxury jet plane which this government was able to find money to purchase for the Premier and his staff.

May I ask the minister how he is able to continue to serve in a government that believes taxpayers' money should be used to buy a luxury jet plane while apparently it is unable to accept his proposals that OHIP coverage should be granted for prosthetic and orthotic devices and for hearing aids for deaf children?

Hon. Mr. Timbrell: Mr. Speaker, the propos-

als that my staff and I have developed have not been rejected by the government. The final decision has not even been made.

Mr. Smith: May I ask the minister how he can serve in a government where the priorities are such that it is able to act very quickly to approve a jet plane for the Premier and his staff, whereas it has taken some very considerable time and the government still has not seen fit to act on the proposal for prosthetic and orthotic devices being covered by OHIP? Does it not represent to the minister a very serious distortion of priorities?

Hon. Mr. Timbrell: While we are talking about priorities and about aircraft, I might point out to the Leader of the Opposition that long before any decision was taken by the executive council with respect to the purchase of an executive aircraft, the executive council approved my proposal that there should be a jet ambulance in Timmins, a jet helicopter ambulance in Sudbury, a helicopter ambulance in Thunder Bay and a King Air ambulance in Sioux Lookout.

Mr. Cassidy: Mr. Speaker, since there are only 16 days left in 1981, which was designated as the International Year of Disabled Persons, will the minister assure the House that, to mark Ontario's participation in the year of the disabled, there will be an announcement before the end of this year to ensure that prosthetic and orthotic devices, which benefit the disabled and handicapped in our province, will be covered under the Ontario health insurance plan.

Hon. Mr. Timbrell: Mr. Speaker, the concern of my colleagues and I for the disabled, and indeed for all the population, does not begin and end in a year designated by an external body. I point out that we started the year with a very significant program introduced under the International Year of Disabled Persons. That is the program I announced in February, I believe it was, with respect to high-risk pregnancies, the establishment of more perinatal units, and the establishment in time of secondary obstetrical units to reduce the incidence of morbidity and mortality among our high-risk neonates.

Mr. Smith: The minister must surely know that is not the question he was being asked. Given that the Treasurer (Mr. F. S. Miller) stated in this House the other day that there has been no sacrifice of any necessary government program because of the money being spent on such things as the Suncor deal and the jet plane, can the minister explain to the House why, after

these many years of people asking for OHIP coverage for these necessary devices, we still have to wait for an answer from the government? We do not even have a guarantee it will be now. Will the minister use whatever influence he has in cabinet to get them either to sell the jet or to install OHIP coverage for prosthetic devices or, preferably, to do both?

Hon. Mr. Timbrell: I do not believe the honourable member was in the House on Thursday when I took part in the no-confidence debate and listed a lengthy list of new facilities and new programs that have been announced within the past 12 to 18 months with the support, obviously, of my colleagues in the government. The government which he tries to portray as being so tight-fisted on such matters is the same government that has approved my proposals for increased funding to our hospitals in this and the last two fiscal years of more than 30 per cent when one includes the amount of money being applied to phase two budgets right now. That is more than 30 per cent in two years.

MENTAL HEALTH CARE

Mr. Cassidy: Mr. Speaker, I have a new question for the Minister of Health, who on December 8 assured the public of Ontario that mental patients are not in danger. Will he review that conclusion, and is he now prepared to take some action to improve psychiatric care as a result of the public commission on mental health organized by the Ontario Public Service Employees Union which has gone across the province and which has found evidence of problems across the province?

This is witnessed by the headlines about that commission: "Patients are Exploited" was the headline in Kingston. "Cutbacks Hurt Mental Care" was in the Hamilton Spectator. "The Message is Clear" said the London Free Press. "Mental Health Spending Cuts are Hurting, Province Blamed for Mentally ill Becoming Derelicts" was in the Toronto Star. In the North Bay Nugget it was "Psychiatric Patients Lack Follow-up Care." In Thunder Bay it was "Desperate Mother Slams Mental Health Care for Son."

What is happening in the mental health field, and why has the minister been putting mental health patients in the province in that situation?

Hon. Mr. Timbrell: Mr. Speaker, he says the union has been collecting evidence. They have

been collecting headlines, that is true, but they have not been collecting the kind of evidence he suggests they have.

Mr. Swart: All the papers are wrong, of course.

Hon. Mr. Timbrell: No. As I said to the member's colleague, who is my critic, during the estimates, I think that group started out with the report basically written and sought to find the headlines and the briefs to support a preconceived—

Mr. Breagh: That's cheap, Dennis. Come on!

Hon. Mr. Timbrell: Listen, if he is trying to tell me and the world that commission is an objective body that has set out in a short period of time to write the definitive report on mental health care, then he is even more deluded than I thought.

I might remind the member of a number of initiatives we have taken to improve the quality of mental health care. I am not about to stand here and say there are no problems. I would not do that. I know there are problems. A system as large as that, a system dealing with serious personal problems of a psychiatric nature, is bound to have difficulties from time to time.

2:40 p.m.

We are taking steps. I will not go through again the list of things we are doing to improve the system; we have gone through them in the House and in estimates. It should not be said, let alone believed, that mental health care is anything but a priority with this government.

Mr. Cassidy: If mental health is a priority with the government, why did the administrator of the Kingston Psychiatric Hospital, Mr. Thomson, circulate a memo to his staff on September 11, saying: "There have no doubt been rumours and speculation about the hospital these past three or four months concerning the need for budget constraints. Such have become a reality"? He went on to say that the Kingston Psychiatric Hospital was required to contribute \$360,000 in cuts towards a further psychiatric hospital branch budget reduction of \$4 million for the fiscal year 1981-82.

Why did that same administrator send another memo on December 2, talking about the need for further cuts of \$100,000 at the Kingston Psychiatric Hospital and saying to department heads, "You are therefore asked to scrutinize all your department spending and to reduce its expenditures to all but the most essential activities"? How can an adequate program for

mental health be carried on when the minister behaves like such a Scrooge with respect to mental health?

Hon. Mr. Timbrell: The plain and simple fact, and we have gone over it many times previously, is we have insisted that administrators of the 10 provincial psychiatric hospitals act in exactly the same way that we have insisted administrators of all public hospitals act, and that is to find ways and means wherever possible to become more cost-efficient. But the bottom line always has been, and always will be, that we must maintain quality of care. Surely my friend would expect that we would do no less than to insist that our managers manage properly.

Ms. Copps: Mr. Speaker, last week the minister admitted to this House that he does not have a plan for housing ex-psychiatric patients, even though the deinstitutionalization program began some 15 years ago. Yesterday, the Provincial Secretary for Social Development (Mrs. Birch) said he did have a plan. Does he or does he not; if he does, what is it?

Hon. Mr. Timbrell: Mr. Speaker, I would like to see what the honourable member is quoting. I sat here last week and listened to her supposedly quote things I said. There were speeches I never made and things I never said. I would like to see what she is quoting, or what she thinks constitutes an admission on my part that there is no plan.

I have repeatedly told the House of plans that are under way. Again, there is the homes for special care program which at present accommodates, if memory serves me correctly, about 4,000 individuals in Ontario. With respect to Metropolitan Toronto, because of changes in the real estate market this year, a lot of housing went out of the market. We have taken steps for interim accommodation over the winter on an emergency basis. We have called—I believe ads have appeared already—for proposals for 120 homes for special care beds in the Metropolitan Toronto area. We have established an assessment unit at the Queen Street Mental Health Centre. We are maintaining a housing registry at the Queen Street Mental Health Centre to assist the discharge planners in directing individuals to available housing.

With respect to more than that, the psychiatric component of the homes for special care program is under review. I am told that review is about finished, having reviewed the mental retardation part of the homes for special care program first and announced changes in that a

year and a half ago. There likely will be some significant changes to that, but it is incorrect to say that we do not have any plans at all. Further plans are evolving, but we do have systems in place now.

Ms. Copps: Just to correct the record, Mr. Speaker, if I may, I wish to read into the record from page 4498 of Hansard of December 10, 1981. In answer to my question whereby I suggested that psychiatric patients have basically been thrown out into the streets with no support systems and no backup, the minister's answer is, and I quote: "What would you do? Act without any plan?"

Hon. Mr. Timbrell: With respect, if the honourable member will look at the full context, she was talking about the fact that we have Peat Marwick investigating the Queen Street Mental Health Centre. I remember very well; it happened last Thursday, December 10. She is quite right.

Ms. Copps: You did not specify it; you said, "Act without any plan?"

Mr. Speaker: Order.

Hon. Mr. Timbrell: I am sorry; we were talking about the review of the Queen Street Mental Health Centre and the fact that we have engaged outside, objective consultants. The member was going on, blathering about something or other, and I said to her, would she have us just make arbitrary changes without some plan. That was the context.

Mr. McClellan: Mr. Speaker, I want to ask the Minister of Health whether he recalls the memorandum from the president of the medical staff at the Queen Street Mental Health Centre, dated October 22, 1981, in which Dr. Gray describes Queen Street, as a result of the minister's cutback, as an impotent typical second-class custodial care facility in which treatment of patients will have no meaning at all.

I ask the minister why he is cutting \$4 million out of the psychiatric hospitals branch budget and how long he thinks it will take before the rest of the provincial mental health centres in Ontario are in the same state of chaos and turmoil as Queen Street.

Hon. Mr. Timbrell: Mr. Speaker, first I refer the member to my estimates and point out to him that we have insisted our managers, the administrators, manage properly and find ways in which we can continue to provide the level of care we have in a way that is as cost-efficient as possible. I think that is acting responsibly to

both the patients and to the people who are paying for the system. I remind the member that my estimates show something in the order of \$250 million to be involved with the psychiatric system. We are not talking about an insignificant part of this ministry's or the government's program.

Second, with respect to the remarks about Queen Street, I remind the member again that even having placed a hiring freeze on Queen Street at the time we engaged consultants, at this time, according to my director of psychiatric hospitals, we have only eight positions frozen. There are more than 1,100 full-time equivalent positions at Queen Street. That is hardly what one would call a decimation of the staff. In fact, the total number of staff there today, I am told, is within 10 or 12 positions of what it was a year ago. That is hardly making wholesale cuts.

As the member knows, and as I have repeatedly said, we accepted some time ago that the program at that hospital was and is not what we would like to see it be. That is why we took the unprecedented step of engaging outside consultants in carrying out a thorough, objective review of the facility, including the use of external psychiatric consultants, and we intend to act on their findings once they are completed.

WOMEN APPRENTICES

Mr. Cassidy: Mr. Speaker, I have a question for the Minister of Labour. The minister will be aware that the Ontario Manpower Commission was meant to come up with a women's employment strategy report early in the year. I believe that has still not yet been produced. While awaiting that report, will the minister explain why, year after year, women continue to be shut out of apprenticeships in most of the skilled trades in Ontario?

Will he explain specifically why in March this year, according to the latest figures, only 21 women were apprenticed in the construction trades out of 12,391 apprentices, 49 women out of 12,380 in the motor power trades, only 13 women out of 3,100 in the industrial trades and only 91 women in the nonregulated trades? Why is it that in those four areas only half of one per cent of the registered apprentices were women? How will women ever be able to achieve equality in the work force when they keep being barred from apprenticeships in Ontario?

Hon. Mr. Elgie: Mr. Speaker, there is no barring of women from apprenticeship programs. The member knows, if he has been

reading the estimates material that has been coming out, that our ministry through the women's bureau has been actively involved in interesting women in pursuing skilled trades and apprenticeship training. He knows we have funded programs like INTO, introduction to nontraditional occupations, to encourage women to enter into nontraditional occupations. He knows the women's bureau worked quite actively in consultation with my colleague the Minister of Education and Colleges and Universities (Miss Stephenson), again to encourage women to enter into these nontraditional occupations.

There is no barring going on. He knows very well historical changes have to take place—

Mr. Cassidy: They are not taking place.

Hon. Mr. Elgie: What does my friend want to do? Snap his fingers and say "Change"? We are now involved in an educational process to try to change attitudes that women and employers have had, and that unions have had too, by the way. That is not a snap-of-the-fingers process. There is no barring of women from entry into those trades.

2:50 p.m.

Mr. Cassidy: Does the minister not agree that the greatest job in education that has to be done is within the government of this province, the Conservative Party of Ontario? If not, can he explain why it is that when the Ontario Status of Women Council reviewed the progress on the 10 recommendations it had made in 1980-81, it found the government had not implemented adoption of the principle of equal pay for work of equal value; had not implemented legislative affirmative action and contract compliance; had taken no new initiatives in the area of strategies to train women to enter nontraditional jobs; had not moved in terms of changing the position about dropouts for women on Canada pension plan, something that was accepted by every province except this one; had not come up with a new strategy for immigrant women; and had not implemented any new provisions with respect to maternity leave?

Why is it that so much was offered or promised and so little has been done, and when will the minister start the job of educating his own government to ensure that policies for equality for women are a reality in Ontario?

Hon. Mr. Elgie: It is easy to sit on the opposite side of the House, but if we look across Canada at what other provinces are doing and at what we are doing, I have to say that neither the provinces nor the federal government are doing

anything like what we are doing in terms of encouraging women to enter the upper echelons of management in this government. It is happening. The member knows very well that each ministry has targets that are subject to annual review. He knows those changes are occurring. The status of women council thinks it might change more rapidly if it were in legislation. We happen to feel that an order in council and Management Board direction will accomplish the same thing, and it is happening.

I do not want to review the whole list of recommendations the status of women council made. The member knows the government's position on equal pay for work of equal value. Although it is a very laudable abstract concept of equity, he knows the problems with it. We spent several weeks discussing them in committee. I appeared before that committee, and he knows the government's position. There is no other government that is encouraging women into nontraditional jobs within the government like this one is; so I reject his statement once again.

Ms. Copps: Mr. Speaker, how can this minister preach to the private sector and to the federal government when, if he looks at his own government's record in the past three years, the number of women who earn less than \$15,000 a year has jumped to three to one as compared with men? For every one man in the public sector earning \$15,000 a year or less, there are three women, and that record is two or three times worse than the federal situation. How can he stand here and say his government is doing its job when its record has worsened over the past three years?

Hon. Mr. Elgie: Mr. Speaker, I do not understand this. You would think we went to standing committee to review estimates just so we could talk out the window. I realize there is value in that, but the member was there and she knows the percentage of women who have entered into middle management and upper management in the past three years has far exceeded the rates for men. She knows that. Why in the world she stands up here and tries to pretend the government is doing nothing is beyond me, unless perhaps it is for some other purpose I do not understand. I am new at this game, and I may not understand what it is all about.

Mr. Cassidy: In September, the minister said in his speech, and I quote, "It has been estimated that four to six jobs become redun-

dant every time a word processor is installed." The minister knows perfectly well that the four to six jobs that become redundant are jobs occupied by women, secretarial jobs and that kind of thing.

Can the minister explain why it is that the government is standing idly by, not moving at all, waiting for some educational effort that it expects will take years and tolerating a situation where only 174 out of 34,000 nonservice apprenticeships in this province are given to women, while word processors are being installed in the province by the thousands, and that means tens of thousands of women's jobs are being eliminated with nothing to replace them because of the government's inaction?

Hon. Mr. Elgie: Let us face the facts; I know doing that troubles the member, but I think we have to do it once in a while. He knows the Minister of Industry and Tourism had a task force on the microelectronics industry. He knows part of that contains some aspects to do with manpower, and he knows the Ontario Manpower Commission is now looking at an employment strategy for women.

Having said all that, there are changes taking place in society anyway, and I know there is a great need for women in clerical positions to accept those changes and to get involved in the skilled training that is going to be there and be needed. We all know that the majority of people entering the work force during this decade will be women. Society is adapting to that through the educational process and through the better understanding by the trade union movement of the problems. It also leads to a better understanding of the problem by industry.

We are trying to address all those issues. I know the member wishes it was done yesterday, but we are attempting to do it.

INTEREST RATES

Mr. Riddell: Mr. Speaker, I have a question of the Minister of Agriculture and Food. With all the signs showing that the farmers' frustrations with an inert Tory government have reached the boiling point, I want to ask the minister whether he and the Treasurer have yet met with the action committee that was established to consider the recommendations made by the Ontario Federation of Agriculture task force, whether this committee has made any proposals to him and whether the minister will introduce a program that will commit at least \$100 million to the agricultural industry, which is less than half the yearly interest on the Suncor investment, to

fulfil the promise that the Treasurer made, which was that a program would be announced before the end of this session, which is likely to be this week.

Has he met the committee? What proposals did they make? What programs is he going to introduce?

Hon. Mr. Henderson: Mr. Speaker, I had lunch with that committee a week ago Monday, and I announced in the House that Mr. Fred Lewis, whom the honourable member knows quite well, had agreed to sit as the farm member of that committee. That committee has met on several occasions during the past week. I spoke to my deputy this morning to see whether they had a report for me. He told me there was still to be a meeting tomorrow before there would be any report to the Treasurer or myself.

Mr. Sargent: Mr. Speaker, I say to the minister, all we have been getting is talk, talk, talk. I understand he is going to appear on the centrefold of Playboy with his most vital organ covered: his mouth—

Mr. Speaker: Does the member for Grey-Bruce have a question? We are waiting.

Mr. Sargent: At a time when Quebec has about \$300 million for an emergency cushion, the farmers there are prosperous; they pay 20 per cent less for hydro than we do here. Compared with the states to the south of us and every province in this Dominion, we are the Ontario island of high interest rates. How does the minister expect our farmers to compete in the same market as these farmers, when he is giving hundreds of millions of dollars to the pulp and paper industry? He gave \$339 million interest free to Mr. Denison.

I am asking the minister why, in all decency, can he not come clean with the agricultural industry, the home owners and all the vital parts of our economy and have the government set up a cushion to stave off what is going to happen to this very important part of our economy?

Hon. Mr. Henderson: Mr. Speaker, I am shocked at getting that question from that member, who has contact with Ottawa through his Liberal Party, the people who are creating the high interest rates. He has a direct route to Ottawa. The Ontario government is the only government that has helped the farmers in Ontario.

Mr. Sargent: Answer the question.

Mr. Sweeney: What are you doing?

Mr. Speaker: Order.

Mr. MacDonald: At the Ontario Federation of Agriculture convention three weeks ago, the Treasurer (Mr. F. S. Miller) said there would be a response to the OFA task force report before the session ended. Will that happen, yes or no?

Hon. Mr. Henderson: The session has not ended. We will be here several days yet.

3 p.m.

INTERNATIONAL HARVESTER

Mr. Mackenzie: I have a question for the Minister of Industry and Tourism. Would the minister bring this House up to date on his monitoring of the crucial refinancing talks involving International Harvester and the consortium of 225 banks? A large number of Canadian workers are involved including more than 1,800 in Hamilton alone.

Several deadlines have gone by in the arrangements that were supposed to have been made for the refinancing. Given this fact, is the rumour throughout the plant that December 23 is the date on which they could face receivership an accurate assessment of the situation?

Hon. Mr. Grossman: Our government has not been asked to become a major player in any refinancing for International Harvester. Consequently I could not confirm that date for the member.

Mr. Mackenzie: I take it from the minister's answer he at least is monitoring the situation. What does the minister intend to do about the company moving the product engineering branch—in effect its research and development branch—as well as 78 employees, from Hamilton to Hinsdale, Illinois?

Would the minister also let the House know what the \$100 million employment cost reduction the company has had to agree to is going to mean in terms of Canadian workers? Further, has the minister been informed of the number of management people who were cut or transferred last Friday and how many more cuts are expected in the near future?

Hon. Mr. Grossman: I would be pleased to assemble all that information for the member before the end of the week and provide it to him.

Mr. Nixon: Supplementary: Has the minister been approached by representatives of the Canadian company or its American parent to assist them in their fiscal problems and particularly to meet their interest payments in the same way Massey-Ferguson approached the government about a year ago?

Hon. Mr. Grossman: No.

UFFI REMOVAL

Mr. Robinson: I have a question for the Minister of Health. The government of Canada has announced it will come to the assistance of certain home owners who installed urea formaldehyde foam insulation. In light of this is the Ministry of Health prepared at this time to dovetail into that federal program immediately when the details are announced so that those home owners who have used the product in Ontario may have the maximum benefit afforded under the federal scheme?

Hon. Mr. Timbrell: We will be pleased to make available to the federal government any and all of the information we have pulled together. I would remind the members on all sides of the House we have likely done more in this province with respect to the testing of homes where this product is installed than the rest of the provincial governments and the federal government combined.

The federal government has finally said they are going to be specific about a program to assist people with health problems associated with this product. We are in a fortunate position in that as soon as they announce the details of their program, which they tell us will be within a matter of days, they can move immediately in many homes in Ontario. They will not have to wait as they will in the rest of the country.

Mr. Robinson: Supplementary: The announcement by the federal minister, Mr. Ouellet, indicated in a preliminary way the federal program would provide some measure of relief only to those people who have suffered adverse health effects. As a standard of measurement for that, they are using an indoor level of formaldehyde gas in excess of 0.1 part per million. Will the minister continue, on behalf of this government, to pressure the government of Canada to provide relief not only for those medically affected but to those home owners whose houses have suffered structural damage as a result of faulty installation of the product?

Hon. Mr. Timbrell: It has been our position that the federal government, pursuant to the report they had last spring which recommended they establish a retrofit program, should assist not only where health problems have been brought on or aggravated by the gas emitted by the product but also in those cases where structural damage has occurred.

Mr. Speaker: Final supplementary; the member for Welland-Thorold.

Mr. Bradley: How come it goes to the NDP?

Mr. Speaker: Order. A point of privilege has been raised. I will go through the procedure again. There is one main question; the person who asked the main question may have a supplementary, and then there is another supplementary. I saw the member for Welland-Thorold first.

Mr. Swart: Mr. Speaker, in addition to pressuring the federal government, which of course is very simple, will the minister recognize his government's responsibility in this débâcle—its responsibility for health and its responsibility for the building code, admitted by the Deputy Minister of Consumer and Commercial Relations, whereby the Ontario government could have prevented the use of urea formaldehyde foam in terms of its responsibility for licensing the installers?

Will the minister make a commitment here that the Ontario government will provide some assistance to these people who have urea formaldehyde foam insulation in their homes, in addition to what the federal government does?

Hon. Mr. Timbrell: Mr. Speaker, I think it is very clear the Ontario government has already done a great deal with respect to the testing program. If the honourable member will look at the figure, there are thousands of homes that have already been tested and thousands more that will be tested by the time we have completed the list of the requests. We have already done more than any other government in the whole of the Dominion.

As part of his question, the member asked about a number of points that are not in my domain; they are the responsibility of the Minister of Consumer and Commercial Relations (Mr. Walker). With respect, I think those should be asked of him.

It seems to me the federal government's responsibility has been clear from the beginning, when the report was given to the Minister of National Health and Welfare by her expert advisory committee. They said, admittedly outside of their terms of reference, that the federal government has, if not a legal, a moral responsibility to help all of those individuals who answered the federal government's call to use the product under the Canadian home insulation program. We will continue to keep the pressure on them to accept full responsibility.

HYDRO CONTRACTS

Mr. J. A. Reed: In the absence of the Minister of Energy (Mr. Welch) and the Treasurer I want to try this on the Premier, since he has expressed

certain familiarity in the past few days with certain elements of Ontario Hydro mismanagement; this is another one of those questions.

I refer specifically to the \$900-million heavy oil contract with Petrosar. The Premier is aware it is a take-or-pay contract. Can he tell us now what will be the total cost to Ontario consumers as the result of a miscalculation—and that is to be very gentle at this Christmas season with Ontario Hydro—in the expiry date of this contract in 1992, understanding that until this time it is reputed to have cost the electric power consumers of this province about \$33 million unnecessarily? Can he tell me what the full cost will be?

Hon. Mr. Davis: Mr. Speaker, I cannot tell the honourable member what the full cost may or may not be. I will be delighted to try to obtain for the honourable member as close an estimate as I can.

Mr. J. A. Reed: The Premier will remember that Ontario Hydro would not reveal the details of the contract to the Ontario Energy Board in 1977, making the statement that the bargaining position of the utility would be jeopardized. Now that it is 1981, and now that we know the decision was an incredibly bad one, will the Premier table the contract so we may examine it and understand its full impact?

Hon. Mr. Davis: I will be delighted to discuss this with the Minister of Energy. I seem to recall there have been some discussions between Ontario Hydro and Petrosar. I am going strictly by memory, but I think that is factually the case. I am not sure just where those discussions stand and what, if anything, has been finalized, but I will get as much information for the honourable member as I can.

3:10 p.m.

I would only hope that in his charitable frame of mind at this time of year he will recognize that by the reduction of the use of that fuel and moving to others, Ontario Hydro has still been able to maintain the most competitive rate, I think, for that source of energy anywhere in North America.

Mr. Mancini: Sit down.

Hon. Mr. Davis: To the member for Essex South, who has invited me to sit down—he is always so polite—just for his edification I would make it abundantly clear these prices have been made competitive. So his constituents in the great county of Essex can compete very favourably with those rates that people in Michigan are paying to Consolidated Edison and those other

utilities in that great part of the United States. In fact, if he does not believe me, he can slide across the river, check the bills and he will find I am right.

Mr. Sargent: Final supplementary, Mr. Speaker. In related committed contracts, is the Premier aware that with regard to the uranium contract, the four companies have been indicted and have been described by Maclean's magazine as a Watergate-type of scandal?

Is the Premier in a position to tell the House he will renegotiate these contracts, the same as Westinghouse did in the States? We are talking about \$7.5 billion, 40 years down the way, to the year 2010. Is the Premier prepared to tell the House it was a bad deal and that he will try to renegotiate that contract because these companies have been indicted for—

Mr. Speaker: Order, order. That is not a supplementary, with all respect. The member for Nickel Belt with a new question.

Mr. Sargent: On a point of privilege, we are talking about \$7.5 billion of taxpayers' money and you say it is out of order. What do you think is important?

Mr. Speaker: Order, order. There is no point of privilege. The member for Nickel Belt with a new question.

BILD-FUNDED FORESTRY PROJECTS

Mr. Laughren: Thank you, Mr. Speaker. I have a question for the Minister of Natural Resources. Following his statement that earlier today he signed a forest management agreement with Abitibi-Price, why did the minister persist in signing that agreement right in the middle of his land-use planning process which he is so concerned about in northern Ontario? Does he not understand what that says to everybody in the north who is concerned about that planning process? Does he not understand it says, "We are taking this block of land out of the district. You can fight over whatever is left in terms of land use"?

This makes an entire mockery of both land-use planning and public participation. Why did the minister not wait until the land-use process had been completed at the end of 1982?

Hon. Mr. Pope: Unfortunately I do not think the honourable member understands either the process or the results of the forest management agreement that has been entered into. If he would go over to the fifth floor of the Whitney Block he can go into the theatre and see the

exclusions and the cutting practices starting to be used in certain areas with respect to moose habitat.

Mr. Kerrio: The minister is planting trees in the Whitney Block but not in the north.

Hon. Mr. Pope: I know the member does not listen but I am trying to tell him if he would like to learn about the north—and his party has never gone up to look at the forest management agreement during the public hearings, he has never commented in two years on the FMA agreement and now he is—

Mr. Speaker: Order. The question was asked by the member for Nickel Belt.

Hon. Mr. Pope: If the member is now interested and he would like to get involved—

Mr. Speaker: Order, order.

Hon. Mr. Pope: If the member now wants to get involved to run as a leader or candidate, come on over, we would be glad to talk.

Mr. Speaker: Order.

Mr. J. A. Reed: A point of privilege, Mr. Speaker. The minister made the statement that not one of the members on this side has been in the north recently. I want the minister to know that I have just finished a tour of the north and witnessed the mismanagement of this government.

Mr. Laughren: Mr. Speaker, despite the fact the minister managed to avoid my question, I would ask a supplementary of him. Since he seems to think he can smear the opposition who disagree with him perhaps he could comment on the following statement by one of his own regional directors. I quote:

"I am extremely concerned with the direction the forest management agreement program is taking across this region. I am concerned by the apparent almost total disregard by main office for us for proper integrated resource management. I am extremely concerned that the headlong rush to sign the forest management agreement will create conflicts which will jeopardize the past 10 years of land-use planning and will take the credibility of the Ministry of Natural Resources in many of our public eyes to new lows."

Perhaps the minister could comment on that feeling within his own ministry which not only is bringing his ministry to a new low out there in the public but also within his own staff within the Ministry of Natural Resources?

Hon. Mr. Pope: Well, Mr. Speaker—

Mr. Smith: Send him for a ride in your jet.

Hon. Mr. Pope: Pardon?

Mr. Speaker: Never mind the interjections.

Hon. Mr. Pope: Has the member at any time in the last four years commented about the management? What does he know about it?

Did the member go up to Thunder Bay—

Mr. Speaker: Order, order. Never mind the interjections. Answer the question of the member for Nickel Belt.

Hon. Mr. Pope: Mr. Speaker, since I became minister this is the first forest management agreement that has been signed, so I hardly think I am rushing headlong into signing FMAs. Since I became minister we have gone into a public open house system in northwestern Ontario, in Dorion and Thunder Bay.

Mr. Laughren: That is a joke.

Hon. Mr. Pope: What does the member mean it is a joke. Did he go there? The member for Port Arthur went there, but did that member go there? The member for Port Arthur was there. Why does the member not ask him because he does not know what he said when he was there. He does not know. He would rather yell. Why does he not ask him. He would not understand anyway.

The fact is this forest management agreement takes into account every competing resource used in that area. Why does not the member go over, look at the map and see it. Why does he not get from his colleague from Nipigon (Mr. Stokes) the cutting practices, the description of the exclusions and then make his comments before he comes up with those ridiculous points of view he is trying to make.

Mr. Renwick: Sit down.

Hon. Mr. Pope: What does the member mean, "Sit down"? Does he not want to hear the answer? Okay.

Mr. Kerrio: The minister is being very provocative.

Mr. Speaker: Order.

Mr. Sweeney: Mr. Speaker, the minister is aware that two different public bodies have suggested that in any such agreement the cutting pattern be done in a checkerboard pattern, roughly in 300 acre squares, so that regeneration and reforestation would have a better chance of being successful. Has he introduced anything like this into the agreement?

Hon. Mr. Pope: I welcome the honourable member's interest in this matter. Again, if he looks at the overlays that are provided over on the fifth floor he will see a series of exclusions that relate to the buffer zones for sensitive areas

for fish and wildlife, buffer zones for cottage lakes, for candidate parks, both of the wilderness type and the waterway park type, for canoe routes, for potential mineral development areas, for nesting sites and for moose yards, as they are called, or moose habitat areas.

Mr. Smith: He didn't ask about checkerboards, he is asking about clear-cutting.

Hon. Mr. Pope: Do the members want to hear the answer or not? I know that member is not interested in it, but the other honourable member is. Would they mind if I gave it to him?

Mr. Stokes: The question was about clear-cutting.

Mr. Smith: Clear-cutting versus checkerboarding.

Mr. Speaker: Never mind the interjections.

Hon. Mr. Pope: The honourable member has been kind enough to express some interest in this and the specific agreement, which that member has never done. I am trying to help him. If the member would look at the moose habitat areas he will see there is, indeed, a checkerboard or alternate cut and uncut area to be provided. So, yes, we have adapted some of those policies to the forest management agreement, but he will have to look at the different exclusions to note the different cutting practices that will be used in each of the exclusion areas.

PASSENGER RAIL SERVICE

Mr. Cureatz: Mr. Speaker, in the absence of the Minister of Transportation and Communications (Mr. Snow), I would like to ask a question of the Minister of Industry and Tourism. As the minister is well aware, the federal government is proposing to close the Via Rail passenger line from Havelock to Toronto in the upcoming year. I want to remind him that rail service serves many communities including many members in this House. They are myself, the member Durham West (Mr. Ashe), the member for Scarborough North (Mr. Wells), the member for Peterborough (Mr. Turner), the member for Hastings-Peterborough (Mr. Pollock), the member for Northumberland (Mr. Sheppard), and the member for Victoria-Haliburton (Mr. Eakins), on the other side of the House.

There has been great concern about the termination of this rail passenger line. First, would the minister please stress in his cabinet caucus the possibility of the Ontario government taking over that service?

3:20 p.m.

Second, would the minister—this is a Mel Swart special—please take this replica of the small train so he can keep in mind those people who will be losing that service in the event the Ontario government does not follow through and take over the service of the line?

Mr. Breaugh: Careful now, Sam, careful.

Mr. Cureatz: Third, the member for Oshawa (Mr. Breaugh) and myself would like to know when the Go train is coming to Oshawa.

Hon. Mr. Grossman: Mr. Speaker, I will indeed consider the honourable member's remarks. Certainly, I will be considering bringing my efforts to bear on my colleagues and supporting what he has said as I watch the honourable members vote on the Toronto Islands bill which will follow question period.

It may also be influenced by the fact this toy train, which could perhaps be a ring for my colleague with hands that size, was made in Great Britain and I will supply his constituents with Canadian-made locomotives.

All of my colleagues—the member for Victoria-Haliburton (Mr. Eakins) has not found my office address yet—have brought to my attention, as they have to the attention of my colleagues in the resource policy field which has been looking at this matter over the past several weeks, the terrible havoc being caused by this decision by the federal government. It was arrived at without any prior notification or discussion and will cause some hardship for the great people living east of the city of Toronto.

My colleague the Minister of Transportation and Communications (Mr. Snow), sensitive as always to those concerns, has not only been dealing with the federal government on this matter but has been looking at several options which he must study carefully in view of the cost and other implications of the government taking it over.

I want to assure the honourable member his views are being carefully considered by my colleague and he hopes to be in a position to respond in the next short period of time while he continues to bring severe pressure on those naughty folks in Ottawa who did this to us.

Mr. Speaker: The time for Oral Questions has expired.

Interjections.

Mr. Speaker: I am sorry. However, I can advise all honourable members on the usually good authority of the member for Peterborough that I am told there was, indeed, a meeting in the minister's office this morning to discuss this very matter.

Mr. Eakins: On a point of privilege, Mr. Speaker: the minister has indicated I have not found his office. If he was as accessible as the Minister of the Environment (Mr. Norton) and if he knew how concerned I am for the people in my riding, he would know about this.

Since transportation is also a provincial responsibility, I want to ask the minister to take into consideration that there are many people living on provincial highways in Ontario north of Toronto who have absolutely no transportation whatsoever.

REPORTS

STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Eves from the standing committee on regulations and other statutory instruments presented the committee's second report, 1981.

SELECT COMMITTEE ON COMPANY LAW

Mr. Breithaupt from the select committee on company law presented the committee's fifth report.

Mr. Breithaupt: Mr. Speaker, I am pleased to present the fifth report of the select committee on company law, which deals with the subject of accident and sickness insurance in Ontario. Members will be pleased to know this completes our review of the insurance industry in Ontario. Since 1965, the select committee has presented reports on the Corporations Act, credit unions, co-operatives, mergers and amalgamations, and loan and trust companies. The committee was reformed in 1976 under the chairmanship of Mr. Vernon M. Singer, QC, the former MPP for Wilson Heights—

Mr. Nixon: Did you say "reformed"?

Mr. Breithaupt: Yes, and I served in that year as vice-chairman. The committee began its review of the insurance industry with a study of automobile insurance. In 1977, I became chairman of the committee and have had the privilege of presenting the second, third and fourth reports to the Legislature. Those reports have dealt with further automobile insurance concerns, with other aspects of general insurance and with life insurance. I am pleased to know the government has accepted nearly all the recommendations of the first four reports, and that the insurance law of Ontario has substantially changed because of our work.

In the fifth report, on accident and sickness

insurance coverage, we make 76 recommendations. They are generally in the areas of financial protection against the costs of medical and dental care, considerations regarding a comprehensive disability income protection system, rehabilitation, and the duration and termination of disability income protection, safety and prevention, and the confidentiality of health information. There was one particular area of interest I would like to bring to the attention of the Legislature.

The committee was particularly concerned with the provision under Ontario health insurance plan coverage of artificial limbs, braces, wheelchairs and other devices. Our view is unanimous that OHIP should provide those services now. On the special flagpole in front of this building flies a flag for the International Year of Disabled Persons. Before that flag is hauled down within two weeks as that year ends, we would especially ask the government to accept this recommendation and announce its commitment in this area before December 31.

I must thank at this time two special persons, Mrs. Fran Nokes, who has been the clerk of our committee since 1965. Her fine ability and good spirits have been a real advantage to me, especially as chairman for the past four years. Mrs. Frances Davidson has been the secretary of our committee and again has done an exceptional job in proofreading and preparing the completed report. Her skills have been greatly challenged, and she has done a superb job for us.

Finally, also along with those two ladies in the gallery, I would recognize in the gallery Mr. Paul Boddy, CA. Mr. Boddy is a partner in the firm of Woods Gordon and has been our senior consultant through our five years of study of the insurance industry in Ontario. His expertise and guidance have been of great value to us. I also thank the members who have served on the committee over the past five years. They have all worked hard to bring to this House the best reports and recommendations we could prepare.

Mr. Martel: It's 15 years.

Mr. Breithaupt: I have only been involved for five, as far as the member for Sudbury East is concerned. We have been unanimous in our recommendations, except on a couple of occasions. The acceptance by the government of our recommendations has shown to me the commitment the members of the committee have made to the task we were given by the Legislature in our terms of reference. I might advise

that copies of our report have been placed in the mail boxes of the members of the Legislature, and further copies will be available to interested members of the press gallery through our clerk, Mrs. Nokes, and are available in room 110.

Hon. Mr. Drea: Before you adjourn the debate on that, Mr. Speaker, as the minister who was aided greatly in most of the reforms in general insurance, I really wish to compliment the committee on the work it did. Here is a committee that over the course of its deliberations in the general insurance field, particularly auto, has made Ontario now the continental leader in that regard.

Interjections.

Hon. Mr. Drea: Every one of those was adopted. Ontario is the continental leader in automobile insurance and it was the work of that committee. The state-owned automobile insurance companies are still deadbeats.

Interjections.

Mr. Speaker: Order.

STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Mancini: On a point of privilege, Mr. Speaker: You may be aware that last night the estimates of the Ministry of Transportation and Communications were allowed to begin. You may not be aware of that. I am informing you the estimates did begin yesterday evening at eight o'clock.

3:30 p.m.

It was brought to our attention by the chairman of the committee that our time was to be drastically cut because it was found to be next to impossible to arrange for adequate space and time for the statutory instruments committee to sit. It was discussed further last night that the committee would try to sit this evening. It has now been brought to my attention by the government House leader and by the House leader of the NDP that we are not going to be able to sit because the NDP cannot find enough bodies. Mr. Speaker, do you think that is fair?

Mr. Speaker: Order. With all respect, it is nothing that I can do anything about. That is not a point of privilege.

Mr. Mancini: Mr. Speaker—

Mr. Speaker: No, I do not want to debate it.

Mr. Martel: Tell him to read the rules just once in his life.

Mr. Mancini: Why is it possible for you to disrupt the whole system?

Mr. Speaker: Order.

Mr. Mancini: Why do we have to cater to him all the time?

Mr. Speaker: Order.

Interjections.

Mr. Mancini: It is very objectionable, Mr. Speaker, that—

Mr. Speaker: You are out of order. I ask the member for Essex South to resume his seat.

Mr. Mancini: I think it's time the government House leader—

Mr. Martel: On a point of order, Mr. Speaker—

Mr. Speaker: There is no point of order.

Mr. Kerrio: You just told him he was out of order. You cannot have it both ways.

Interjections.

Mr. Speaker: He was out of order. There is nothing out of order. Will the member for Niagara Falls please just calm down.

Mr. Kerrio: You can't chastise our member without—

Mr. Martel: On a point of order—

Mr. Speaker: I will listen to it.

Mr. Martel: Mr. Speaker, the member for Essex South has made the accusation that just because I do not want to sit this evening that is why I have—

Mr. Speaker: That is not a point of order. No. You are out of order. Will the member for Essex South please refrain?

INTRODUCTION OF BILL

MUNICIPAL ELECTIONS AMENDMENT ACT

Mr. Newman moved, seconded by Mr. Wrye, first reading of Bill 200, An Act to amend the Municipal Elections Act.

Motion agreed to.

Mr. Newman: Mr. Speaker, the purpose of this bill is to limit election expenditures during municipal election campaigns, to require candidates to file audited statements of receipts and expenses and to require disclosure of election contributions exceeding \$100.

A mechanism is provided for evaluating contributions made in the form of goods and services. The maximum penalty for exceeding permitted expenditure levels is pegged to the amount by which the permitted levels have been exceeded. A candidate who has been elected

may forfeit his seat if he fails to file the required statements and the candidate who has not been elected may not, in case of a failure to file, run in elections up to and including the next regular election. All excess funds raised are to be devoted to charity.

Hon. Mr. Wells: Mr. Speaker, before the orders of the day—

Mr. Ruston: They're holding something over your head. What is it? Blackmail or something?

Mr. Speaker: Would the member for Essex North please refrain. Mr. Wells has the floor.

Hon. Mr. Wells: Mr. Speaker, I do not know what the member for Essex North is talking about. Perhaps he has made a statement he would like to withdraw, although I am not going to press him for it. Certainly nobody is blackmailing me with anything in this House. My friend knows the object of this House is to work in a manner that is compatible and agreeable to all.

If committees are going to have extra sittings it is usually done with the agreement of the three House leaders. At the present time, we do not have that agreement for the committee that is reviewing the estimates of the Ministry of Transportation and Communications. I hope we will have it at some point, but if my friend was really interested in the workings of this House he would not be yelling out like he did, he would be working around trying to get things settled.

Mr. Ruston: Mr. Speaker, when the critic for the New Democratic Party agrees to sit tonight to deal with the estimates, what is the matter with that?

Mr. Martel: Mr. Speaker, on this point, if the member were sincere about what he wanted to do, he and his critic would have looked at what was going on in the House. There are supplementary estimates tonight that members are on who are also supposed to be in committee. It is quite impossible to be in two places at one time.

When committees go fooling around and making changes without checking what is on the Order Paper, then there is no possibility of ordering the business of the House in an orderly fashion and getting through what we all want to get done.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I wish to table the answers to the following questions standing

on the Notice Paper: 192 to 220, and 276. (See Hansard for Friday, December 18).

ORDERS OF THE DAY

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Wells moved second reading of Bill 191, An Act to amend the Municipality of Metropolitan Toronto Act.

Hon. Mr. Wells: Mr. Speaker, I do not have a long statement on second reading. I fully explained the bill when I introduced it last week, and members have had a chance to study the bill and we will now have a chance to debate it.

I would like to say that in the interval since the bill was introduced into this House on December 9, it has been studied by the solicitor and the council of the city of Toronto and they have had a chance to comment on it. We have received the city's comments from a meeting held this morning. The Toronto Island Residents Association has had a chance to review the bill, and we likewise have a brief from that organization.

Our legal staff is studying the various requests that have been made by both the city and the islanders, and they have submitted some suggestions for rewording and some amendments to the bill. I would be prepared to see the bill go into committee of the whole House and I would like to move a few amendments.

We received the briefs only this morning and it is too early for me to tell the honourable members exactly what the amendments will be and in exactly what form they will be put forward, but I will get them drafted as quickly as I can and hope to have them in the hands of both other parties by tomorrow. Perhaps we can consider the bill tomorrow afternoon or on Thursday.

Perhaps in my summing up, when I have had a chance to study the amendments a little more and listen to some comments from various members of the House on the sections of the bill, I can give a little more indication of what we would be agreeable to and what we would not be agreeable to.

I might say in the beginning one thing we will not be agreeable to—and I said this yesterday in answer to a question in this House—is a request from the city of Toronto that the province contribute 50 per cent of the costs incurred on future sewer construction. I regret to inform the

members we cannot accept that. If there are any normal grants that would accrue to the city because of the sewer construction work, those would be paid, but there will be no special grants.

3:40 p.m.

Mr. R. F. Johnston: Mr. Speaker, on a point of order: Would it be possible for the minister to provide the critics with copies of those two submissions he has had from the islanders and the city of Toronto?

Mr. Ruprecht: Mr. Speaker, on a point of order: If I understand the minister correctly, will this bill be brought forward again tomorrow so members can speak on it? I was not quite sure what the honourable member was saying.

Hon. Mr. Wells: I was saying the bill will be going to committee of the whole House. There will be some amendments, so there will be ample opportunity to speak on all the individual sections. I will supply the member with a copy of the amendments we are proposing to put forward. I will probably supply him with those amendments by tomorrow morning.

Mr. Ruprecht: Mr. Speaker, I would like to tell this House the Liberal Party supports Bill 191 in principle because we think this is an important piece of legislation. We want to make clear to everyone that we have been supporting maintaining the homes on the island right from the beginning.

As the members know, the Swadron report has been discussed in much detail. What should be noted, however, is that the Swadron report is an independent report that is supposedly not biased. Some newspaper reports indicate the Swadron report is really a report that supports totally and wholeheartedly maintaining homes on the islands and that Mr. Swadron is really a lawyer for the islanders. We maintain this is total nonsense. This report, as we indicate here, is independent and it serves us well.

The principle we have believed in from the beginning is that community living should be supported wherever it occurs. The future of the city means we should support enclaves of community life wherever possible. That is what we should have done right from the beginning. The basic philosophy of our city should be that we want to establish small communities wherever we can.

That brings me to the cost. There have been some reports that maintaining these homes on the island will cost up to \$12 million. Some

sources say \$6 million and some say \$12 million. As Mr. Swadron indicates, this is a falsehood. According to one newspaper report, he says the cost will be \$2.8 million and those people who are saying the total cost will be \$6 million to \$12 million are blowing the whole cost structure out of proportion. We would indicate that the cost is close to \$3 million and not twice or thrice that much.

The other reason we support this bill is because we believe not only that community life should be preserved there, but that the meaning of the islanders living there would also indicate that the security of that place, of those surrounding parks, will be enhanced at no cost to the taxpayer. I think that is one of the things that was brought home recently when a life was saved.

I say to the member for Niagara Falls (Mr. Kerrio), a life was saved on the island. Was it saved by a policeman? Definitely not. It was saved by one of the people living on the island. That is also one of the reasons why we should have the islanders living there.

If people fall into the water and there is no one around or they get into some kind of trouble, it will be much too late to wait for the police or an ambulance or to wait for other people to arrive to help them out. What we are saying basically is the islanders not only deserve to stay, but are performing a useful function on the island.

It is interesting to note that there are people on Metro council who have in the past supported the expansion of an Island Airport. That has been a very hot issue. There are also some people on city council who have supported that. We find there is a correlation between the people who are expanding the Island Airport and the people who want to get the islanders off the islands. The reason there is a correlation is that if they get the islanders off the islands, there is no reason why the airport should not be expanded. That is an important point to consider.

Let me finally indicate that at last the islanders will be treated equally. The red herring my honourable friend is referring to, which has been hanging over the heads of the islanders, was the threat of being moved out, the threat of physical force to move the islanders out. Those of us who were on the islands in those days and supported the islanders know full well what that means. Some sheriff on a 10-hour notice could come over there, lock the

houses up and throw the islanders off. Under those conditions, how can anyone expect these homes to be in tip-top, 100 per cent shape? The islanders could not get a permit to fix those homes up or do anything to them.

I hope everyone will support this bill. The reason is very simple, now we have equal treatment for those people who are on the islands. That is why it is important. Now the islanders are able to make repairs and bring those homes up to par. I am sure we will find tomorrow, when the amendments are being made, there will be other and perhaps more important reasons why we support this bill. But at this particular juncture, I would indicate that our party unquestionably and unequivocally supports Bill 191 in principle.

Mr. Ruston: On a point of order, Mr. Speaker: I would like to withdraw an interjection. I do not know if it went on the record. It concerned blackmail with regard to the government House leader. I do not want to impute motives. I am not going to be like the Attorney General (Mr. McMurty) and say it outside where I do not have to withdraw it.

Mr. Kerrio: Now if you will take the money back.

The Acting Speaker (Mr. Cousens): Order.

Mr. R. F. Johnston: Did that get on the record? I hope it did.

It is a pleasure to stand and support Bill 191 in principle on second reading. I am feeling very much in a Christmas mood today. Unlike my comments of a few days ago, I—

Mr. Kerrio: You have to move down a couple of places.

The Acting Speaker: Order.

Mr. R. F. Johnston: Something is going on with the member for Niagara Falls today. I think he has been drinking too much of the water from that area.

Mr. Kerrio: I wouldn't be joking and laughing if I had.

The Acting Speaker: He is very difficult to control today.

Mr. R. F. Johnston: I have noticed that.

It is a pleasure to rise in support of this bill, which finally acknowledges the presence and the ability of the community of islanders to remain, not just for individuals on the islands to remain, until they are to move.

I made some comments on the morning of the introduction of this bill. I have no idea how I managed it, but I somehow doubted that the

Minister of Intergovernmental Affairs (Mr. Wells) would be able to pull this off. I said to the press I was convinced somewhere in this bill we would find an attrition clause. Somewhere there would be some mention that the individuals could stay but the community could not. I must withdraw those comments totally and apologize to the minister. In the battle between him and Paul Godfrey, I never imagined the minister would have come through as absolutely as he did on this bill.

3:50 p.m.

It has been a long battle to get Bill 191, a battle in which I have not been involved since the beginning. I am glad to see that it has come to an end, even though some members of certain jurisdictions have yet to recognize the fact that the battle has come to an end. They are still sending out ads and making phone calls, believing they should continue the fight. The victory is not primarily won for any of us in the Legislature, even those who have been fighting it for many years, as have the member for St. Andrew-St. Patrick (Mr. Grossman), the member for Ottawa Centre (Mr. Cassidy) and others. It is primarily a victory for the islanders.

If we look back over the years and see the kind of pressure they were under, the kind of incredible intimidation they were under at various times, it is amazing that a community could hold together so strongly against all the pressures to disband and to throw up their hands and give up, and still continue. I think they are the ones who have won this victory.

It is a great symbol, I hope, for community groups across the province who believe they have a case and believe they should stand and fight for it. Even though they have been to the Supreme Court and lost, even though they have been unable to take equipment over to repair their houses for the last number of years, even though they have been subjected to the kind of unfortunate attack that Metro council is undertaking at the moment and on many occasions in the past, they continued to persevere.

They actually had a confrontation; members will remember that amazing photograph in the Toronto Star when the sheriff actually came to the islands and was confronted en masse by the islanders. It has been an incredible experience for all of them.

They have been through situations of brinkmanship which would have added to their stress factors; most normal people would have crumbled under this. But consider that, time and time again as we have come to deal with this issue at

the provincial level it has always been at the eleventh hour that finally some bill extending their stay for another six months or other has come through. The battle has been won at the last minute, and they have got a reprieve.

Even this bill, coming as it does—and I understand it is not for reasons of not wishing it to have come in earlier—in terms of the continuing negotiations that the Ministry of Intergovernmental Affairs had with Metro Toronto, even this time it came in very much at the end. People like myself were very nervous about whether we would be in a position to try to amend something very seriously in the last few days of a session like this. I am very pleased we will not be in the position of having that kind of a major battle here.

I would just like to, if I might, praise those islanders as an example to citizens around the province and as an example to members of the Legislature, of what people can do when they want to get together.

Just to speak a little bit on my role in all of this, since I have been Metro spokesman for our party, I fought this battle with the islanders and others at the city of Toronto council as well as members of both sides of this House. I am pleased I was able to play some role in it.

If I was to look at where I was most effective, I think it might have been that I, besides the minister, was probably one of the first people to read the Swadron report and to understand how significant its contents would be, and then decide that it was probably a good idea for people in the province to be able to read at least the recommendations of that report. I hope I could take some credit, without being immodest, for the early release of that particular document and for the Tory government to have to put itself on record during an election as to what it was going to do in the long run for the islanders.

As I say, the islanders are not politicians, like myself, who have played the role here. There is one other individual, Barry Swadron, who I think deserves some praise for a brilliantly documented report. I remember flying back with him from Thunder Bay two months afterwards and discussing the report on which I was praising him. All he really wanted to know was how I managed to get hold of a copy of it. I was unwilling even to admit, of course, that I had and I do not say today.

It was not only the most comprehensive piece of work I have seen on this kind of issue, but it was very thoughtfully done. It was not pointing

fingers of blame at either Metro or the city of Toronto and others who have developed very hardened positions over the years. Rather, it tried to put the whole question into a matter of various kinds of principles that needed to be asserted.

I was very pleased that most of those principles seem to have found their way into this act we have before us. The notion that it is not just individuals who are to remain but that the community remains, I think was a vital principle with which I know the minister had difficulty prior to the Swadron report. The notion that for this period of 25 years the ownership or the overseeing of the island community should revert to the city of Toronto was an important principle he accepted.

The principle that there should be no profiteering by the individuals who live there, who in some cases might be seen to have had some advantages in terms of the cost of their housing or of taxation for the last number of years, was important as well. There are many others in the 34 recommendations Mr. Swadron came through with.

I do have some difficulties with this bill. One is the notion of the cost to the city and to the potential tenants of the recommendations that were brought forward. I presume that although the minister is not willing to move on the recommendation from the city of Toronto as he outlined it at the beginning of the statement today, he will not be indisposed, as he has said, to have the regular kind of financing for sewage, et cetera, continue so the city will not be hamstrung in trying to provide the necessary services which Mr. Swadron indicated were vital to maintain that community.

The notion of market value for these homes causes me some concern. I am not sure if the references in the paper today to the minister's assessment of what some of those costs might be per month are accurate, but if they are my concern is this: At the moment we have a fairly broad community there in terms of economic means, with some people who are quite well off and many others who are not. There is quite a range of ages as well.

I worry that if we have the community assessed at some rate at this stage which will place it at a high market value, we may actually move to what none of us particularly wants to see, an upper-middle-class neighbourhood developing on the islands which does not reflect the kind of mix we have now. I have some concern that might be the end result of too high a market

value being placed on these homes. I would be interested to hear the minister's expectations as to what these costs might be.

The notion of the cost of the back taxes is one which is slightly more technical in terms of the liability of individuals who have been there for only a year or so but where the taxes have not been paid for longer than that.

These are small matters given the fight we have been involved in, which is the need for that community to stay. These are fights I think the islanders and the city of Toronto are quite capable of taking on in trying to gain justice through the act and through the arbitration process that has been set up by the minister. Therefore, I am not saying we would vote against this bill in any way because of this notion.

If we had been drafting the bill we would probably have placed a greater emphasis on the co-operative side of housing on the island and maybe tried to use that as a means of guaranteeing the social mix that is important to us in maintaining the same style of community we have at the moment. I have just received a copy of the islanders' recommendations. I notice they have the notion of co-operatives as one of their recommendations for additions to the bill. I would be interested to know later on the minister's feelings about that.

The other thing I think it is important to include is that the community must not decrease in size. Reading the bill, I have some concern there is not sufficient protection to guarantee the number of homes will not decline. I would like to see the possibility of having a slight addition to the number of homes to spread some of the costs. There is potential for infill in the present residential areas which would not inhibit the notion of a park by any means because it would just be, for instance, one lot between two houses which is not occupied.

In keeping this a viable community for the next 25 years, and hopefully for the next 50, 75 and 100 years, the community must maintain a certain size. If it decreases beyond the size it is now, I suggest the pressures on that community against it being able to survive will increase.

4 p.m.

This is one of the few times I have risen on a bill to be so unqualified in my support for government action. I hope and promise today that although I fought in the past for this bill and will be glad to continue through committee to try to make it as good as possible, I do not intend

to be here in 2005 to take on the battle again. I hope somebody else besides ourselves will be in that battle then.

Hon. Mr. Grossman: Mr. Speaker, may I say to the previous speaker, the member for Scarborough West, that I share his sense of relief that we will not be here in 2005 to fight the battle again, although I intend to leave the problem in my will to my children as my father, indeed, left it to me.

Mr. McClellan: Does the minister know something that we do not know?

Mr. Cassidy: What makes the minister think his children will be here one day?

Hon. Mr. Grossman: It is the family business. It carries on from generation to generation. It is like tickets to the Maple Leaf Gardens; you will them to your family.

Interjections.

Hon. Mr. Grossman: We try our best. This is an important moment for me; will the members let me finish? Let me put that in perspective. I trust the voters in my riding will deem the Grossman family has served them well over many decades and will continue the tradition, if my daughter or sons decide they wish to continue that tradition.

It is with some satisfaction and pride that I rise on second reading of this bill. The day this bill was introduced in the House was the culmination of many years of fighting on behalf of a community on the Toronto Islands. I say that not only as the member for the riding but also as someone who has come to know and work with the residents of the community and as someone who resides in the city of Toronto. I say that, dealing with the latter point, with some depth of feeling, because I believe the maintenance of communities in this great city is one of the things that has helped build the community to the kind of diversified, sane, safe, great city that it is.

Just in my riding, one can walk through every place from Forest Hill on the north to the Kensington neighbourhood in the middle of the riding, as it were, and on to a totally different community in the Toronto Islands and experience three totally different experiences. I could extend that to other neighbourhoods in my riding, such as the great republic of Rathnelly and the Casa Loma area; each one of them has its unique characteristics, and it is important for politicians at all levels to do what they can to try to maintain a community wherever found and however unique. Indeed, their very uniqueness argues in favour of their maintenance.

I know that over the years there have been very hard feelings built up on all sides of this issue. Some of the arguments on various sides of the issue have gone far beyond the moderate levels that arguments should go, both in terms of the volume and in terms of interpretation of facts, shall we say. I have always believed that if we could find a forum in which these issues could be discussed in an objective and impartial fashion, that tribunal or that hearing would ultimately rule in favour of a residential community on the Toronto Islands.

That was done last year when this government decided to appoint Barry Swadron to head what came to be known as the Swadron commission. That commission investigated, on an impartial and objective basis, I believe, all of the merits, all of the history and all of the variables relating to the Toronto Islands community.

I regret that some people chose not to participate in that process. I think it would have been better for everyone involved had Metro council participated in that process. None the less, I am satisfied there was a complete and full airing of the issues at that hearing. Mr. Swadron worked very long and hard on that report, took many more days, I believe, than he anticipated, ended up with a more lengthy report than he anticipated, but had the opportunity to think things over, to get and to enumerate all the facts and to reach some objective and impartial conclusions based upon a long new look at the situation.

I was gratified by the outcome of that report because, as I say, it did validate what I believed would occur; that is, that anyone looking at that issue on an impartial basis would decide that the maintenance of a community on the Toronto Islands was important to the city of Toronto and to Metropolitan Toronto as well as to, obviously, the residents of the community. We can debate the costs and the interpretation of costs in very many ways. However, I do not think second reading, the discussion in principle on this bill, will add very much new material to the very differing views on the real cost of maintaining that community.

I, for one, believe there would be very great social costs if the community were removed, not only for those who would lose their homes and would have to relocate but also for those of us who live in the city of Toronto who want to use the Toronto Islands and want to enjoy a variety of experiences on the Toronto Islands, including the very great experience of walking through

the residential community area, to step into homes and talk with the people there, who bring a certain *joie de vivre* one does not find in very many other places. It is a unique experience and, as I said earlier, the maintenance of unique neighbourhoods has always been a hallmark of the Metropolitan Toronto community. I hope that tradition is maintained and continued in every borough in every part of this great municipality.

I hope that after all these years of hard feelings, of strong feelings on all sides of the case, all parties involved will now begin to get together constructively and make sure that hard feelings are set aside, that the community is now made to work and allowed to work and given the freedom to reach maturity and full development. I do not say that in terms of new development but in terms of upgrading the homes, allowing the residents to live in adequate accommodation, complying with the housing standards and bylaws and, in fact, paying their way.

I think very many Metropolitan Toronto residents have been of the opinion, and I think unfairly, that there was somehow a free ride involved, that Toronto Islands residents were not willing to pay their way, not willing to pay increased rents. Of course, without going through all the history of that, I would say, with all due respect to those who maintain that position, it is somewhat inaccurate.

In any case, we find ourselves in a position today where at least our level of government can say we believe in neighbourhoods, we believe in the maintenance of neighbourhoods, we believe in this particular community and we believe a certain mechanism should be put in place to ensure that, for the next 25 years at least, this important asset to Metropolitan Toronto is maintained and kept in place. The tradition of fighting for the community on the Toronto Islands has gone on, certainly on this side of the House and on other sides of the House, for many years.

There have been a lot of champions of the cause, and I like to believe the reasons for that go far beyond the sheer politics of the issue. The politics of the issue vary, depending upon where one lives, where one comes from and one's view of what motivates the voters of this city. I happen to believe that, politically, morally, socially and on every other count, the maintenance of the Toronto Islands community is important.

The representation of the Toronto Islanders'

case has gone through many generations of islands' residents. Indeed, my father, as alderman for ward four in the early 1950s, was there for part of it and continued his interest in the maintenance of the Toronto Islands community after he became the member for the St. Andrew-St. Patrick riding, also representing the Toronto Islands in this assembly. My colleague the member for Wilson Heights (Mr. Rotenberg) continued that tradition when he succeeded my father as alderman for ward four, representing the Toronto Islands.

4:10 p.m.

Indeed, I would say if it had not been for the presence of then Alderman Rotenberg in 1968, there was a very real possibility that some forces would have succeeded in having the Toronto Island community decimated. Subsequently, the member for Wilson Heights has argued that case in this forum, articulately and well as always.

Other members on all sides of this House have joined me and my colleague and several people who are not members of this assembly, who are on Toronto city council and in other places, in arguing, and I think fairly articulately, moderately and well, the case for maintenance of that community.

For those who believe that the motivating factor here is politics, I point out that my colleague the member for Wilson Heights no longer represents that area. He has no particular vested interest in ensuring that the Toronto Island community stays. He simply believes, as did the member for Scarborough West, that the maintenance of that community happens to be important to life in this municipality.

For my part, as the islanders know, and I see some of them in the gallery today, I have in three elections not succeeded in winning the Toronto Island residents' vote.

Mr. Cassidy: Every time. Three times in a row.

Hon. Mr. Grossman: The NDP did not even come second last time. Oh no, they came first. Did they come first there the last time, in 1981?

Mr. Cassidy: We should have if we didn't.

Hon. Mr. Grossman: I do not think so. In any case, I know I did not win the polls on the islands—

Mr. Cassidy: What's he got that you haven't got?

Hon. Mr. Grossman: My colleague? Yes, my colleague used to win them all the time, but I,

like my federal colleague, Mr. Crombie, cannot seem to win the vote on the Toronto Islands. I have resigned myself to the fact that however long I am there, and certainly for the next 25 years that the Island residents are there, I am not likely to win the majority of votes on the Toronto Islands.

I have consistently lost them by at least 20 votes, and for those who think that it is important for me politically to make sure that people who vote for me are kept there, let me say that if the island community were removed tomorrow morning, or had it been removed before the last election, I would have won by 20 or 25 more votes. I think that is probably going to hold true by the next election.

None the less, I intend to be here for the next election, the Toronto Island residents will certainly be there at the next election, and I suspect I still will not win those votes. But I want to encourage the residents to consider that carefully; they need not feel obliged to continue to vote against me at that time.

I am reminded that my colleague the former alderman for ward five, now the member for St. George (Ms. Fish), is also one of those who on city council and for many years has championed the cause of the Toronto Islands, and I should not neglect to thank her for her role in the history.

Mr. Cassidy: It's almost the only progressive thing she has done.

Mr. McClellan: What if St. Andrew-St. Patrick and St. George disappeared?

Hon. Mr. Grossman: That is really ridiculous for the member to say.

Mr. McClellan: What if both of your ridings disappeared?

Hon. Mr. Grossman: We listened; the member is not that particular.

May I say that politics are not the motivating factor, quite obviously. I believe in that community. I believe in that community notwithstanding the fact that I lose votes in those two polls in my riding. None the less, I think it is important that politicians honour their commitments to stand up for what they believe in, even when it costs them votes.

Let us make no mistake about it: it costs me votes to have the island residents there. None the less, I happen to believe that they ought to be there. They ought to be there for at least the next 25 years, and I wanted to take this opportunity on second reading to address that very point, in that I think that it is unfair to the

island residents and those who believe in the importance of the maintenance of a community on the Toronto Islands to ascribe my motives to ones regarding politics.

The politics do not speak to my continuing to fight for the Toronto Islands. The politics are, in fact, the reverse. The reality is, though, that as one member of one assembly who happens to believe in that cause, who has enjoyed many days and nights on the Toronto Islands with my wife and children, I happen to think maintaining that community is important, important even though it hurts me politically in terms of votes. Therefore, I am prepared to stand here, as I have been prepared for very many years, beginning with my private member's bill introduced shortly after I was elected in 1975, to argue the case in this assembly for the maintenance of that community.

It is a day for me to feel some pride and satisfaction at the fact that this bill is before us. I urge members to support it so that it is passed and this long, long history of dispute and antagonism is finally ended; so we can say, at least for the next 25 years, acrimony is behind us and the maintenance of a community has been established, this assembly having voted overwhelmingly in favour of those values that have maintained this city, this municipality, Metropolitan Toronto, as a great place to live.

Finally, it would be negligent of me not to acknowledge the role played by my colleague the Minister of Intergovernmental Affairs (Mr. Wells) in handling this matter over the past year or so. He has met with hundreds of people and shown great determination and patience in trying to bring together varying views on this matter. He came up with the suggestion that the Swadron commission should proceed and very vigilantly watched over the results of that, interpreting the results and trying time and again to bring all the parties together to a more peaceful accommodation at this time.

The fact that various parties were not able to reach an accommodation should not be taken to mean my colleague did not do a masterful job of working on the situation and in trying to bring people together after all these years. His determination to see that community values were maintained and that the community remain in place for the next 25 years is the major reason why I believe all people involved in the island situation, at least those in favour of maintaining the community, have come to understand they were getting a full, complete, fair and honest hearing from my colleague.

I hope those who do not agree with the ultimate decision of the government will at least agree that my colleague was open, honest and straightforward in his dealings with them in an attempt to arrive honestly at a peaceful resolution to this unfortunate dispute between the two municipalities. None the less, it is a happy day for me. It is a happy day not only for the islanders but also, in my view, for all residents of Metropolitan Toronto, because this important community will be maintained for at least the next 25 years.

Mr. Stokes: If you are happy, we are happy.

Hon. Mr. Grossman: I have not heard that before.

Mr. Kerrio: Mr. Speaker, before I address myself to the bill, the gentleman who is aspiring to be the leader of the socialist party, the member for Scarborough West (Mr. R. F. Johnston), took some exception to my interjections. I shall not apologize. I wish to make one comment, though, which I think is appropriate. I have never had to resort to vulgarities or profanities to make my position known. And I have never had to withdraw; they will have to suffer with my interjections until Mr. Speaker decides he has had enough.

Mr. Cassidy: Why don't you put up or shut up? Throw your hat in the ring. Let us see you become a candidate.

The Deputy Speaker: I have had enough.

Mr. Kerrio: I thought that was exactly and precisely the time I should quit.

If I may address myself to the bill that is before us, I have a couple of comments to make that I think are important to me as a taxpayer in Ontario, because we are going to be subjected to some substantial costs of maintaining that position of the islands community.

When the minister was examining this whole involvement, I wonder if he did take everything into account. And if this was not a political decision, why was the government not intent in clarifying the legality of entering an agreement where those people could buy the homes and maintain the community as they do in every other part of Ontario and then subject themselves to the kind of assessment that would pay for their services and do those things that in our society today would be meaningful and responsible?

4:20 p.m.

I have no objection to that. If they want to maintain a community on the island, they have

every right to do so. But it should have been given the same opportunity to become a community as exists everywhere else. Title to the land should have been cleared and the land should have been sold to those islanders.

If they decided they wanted to pay the money it would cost to maintain services and everything else there, that could be done. Many people choose to live in communities in our society where all the services cost a great deal more; they are then subject to the extra cost.

The minister should look into the fact that the money the government will spend over the next 25 years could very well accommodate people in their own homes somewhere so that we would not be looking, somewhere down the road, to subjecting these people to the same exercise we are going through today.

If the minister had been sincere, he would have clarified the position of that land. He would have made that land available to those people. They should have been able to buy it and then to continue as long as they wanted to on land that belonged to them. That has not been done. This is makeshift. This is something that is not done in a responsible way. The government does a disservice to the islanders, to Metropolitan Toronto and to the people of Ontario, because I cannot believe the whole thing will ever be resolved in a fair way.

I would be the last one to suggest those people should be made to move but if the government were doing anything else but playing politics in this matter it would have made the land available to the people. That is the way to have ownership in this country. One buys the land. One owns the land. One owns the home and no one can put one off that land—

Mr. Cassidy: You are unbelievable, absolutely unbelievable.

Mr. Kerrio: Do I have to listen to that, Mr. Speaker?

Hon. Mr. Grossman: I am going to love this Hansard in the next election, Vince.

Mr. Kerrio: I have to think that in any community where everyone suffers through buying the land, building his home and paying everything he does to maintain his community and his home, one is going to decide I have taken a responsible position. I suggest the government is not.

In this day and age, when we are looking at building homes that are going to take some of the heat from the sun and are going to be built in such a way we are going to cut down on

overhead, it is a poor time to be encouraging involvements that cost tremendous amounts more than it would cost to have a community in a place that could be serviced in an easy fashion and in an economical way.

Hon. Mr. Grossman: Are you voting against the bill?

Mr. Kerrio: I say to the minister, make the land available to those people on the island. Sell them the land. Let them own the land and the homes thereon. Then we will not be dealing with it 25 years hence.

I want to thank the honourable member for his interjections. They were substantial, and I will take them under advisement and answer him another day.

Mr. Cassidy: Mr. Speaker, I am proud to be a member of this Legislature today because, after far too long and far too many political disputes, fights and so on, we have a victory for the Toronto islanders.

I have identified with and been part of the battle to help save the island homes for about 10 years now but, before taking any credit for myself or for my colleague the member for Scarborough West (Mr. R. F. Johnston), I think first and foremost the credit has to go to that tiny group of 650 people who live on the Toronto Islands who have, year in and year out over some 15 years now, battled to maintain and save that community.

When 600 people take on the political leadership of a metropolitan municipality of two million people and win, that is quite a triumph. It is a triumph because their cause was right. It is also a triumph because of the energy, initiative, imagination and the sheer guts and hard work they put into it.

Peter Dewdney, who is the cochairperson of the Toronto Island Residents Association, and other members of the island group are here, and I want to say, on behalf of the New Democrats, that this province is a better place because there are people like the islanders who are prepared to fight the way the islanders have fought and who are prepared to be public-spirited in the things they are proposing.

I want to thank Peter and ask him to take the thanks to all the islanders as well as our congratulations on the victory which, first and foremost, has been wrought.

I want to say as well, since the minister seemed to forget about people on this side of the House in apportioning credit, as far as the victory is concerned—and I recognize this is a

very unusual situation even within the Conservative Party—that the member for Wilson Heights (Mr. Rotenberg), the member for St. George (Ms. Fish), the member for St. Andrew-St. Patrick (Mr. Grossman), who says in a note that I should not be inflammatory, and the member for Scarborough North (Mr. Wells) are probably the only members of the Conservative caucus who wholeheartedly support this particular bill. But they too have fought.

Perhaps the member for Stormont-Dundas-Glengarry (Mr. Villeneuve) is a secret supporter of the islanders, and I welcome that support too from the dean of the House. None the less, I think they have done a certain amount of battling within their caucus to get the Conservative Party to overrule the czar of the Tories in Metro, Paul Godfrey, and to defend the island cause.

In so far as the Liberals are concerned, the Liberals in supporting this bill are doing their best to make sure they get absolutely no political support or credit from it with the kind of ridiculous comments that were made by the member for Niagara Falls (Mr. Kerrio) just a few minutes ago. But I do not think the occasion should go by without giving a few words of credit and thanks to the predecessor of the member for St. George, Margaret Campbell, who throughout her political career was a staunch friend of the islanders and a staunch supporter of the island cause.

This is a victory that comes after some 25 years and, as a politician, I have to say that I regret the political energy and time and the amount of money that have gone into this battle between Metro and the city of Toronto. The vendetta that Paul Godfrey and some of his supporters on metropolitan council have carried out is absolutely indescribable.

I was looking through some clippings from the file of my friend the member for Scarborough West (Mr. R. F. Johnston). At one point they hired Alan Eagleson to present the Metro cause at \$1,000 a day or more. Because of Metro's intransigence, they provoked the Swadron report, which was a good report but which cost \$200,000. That would have gone a long way to helping catch up on some of the needed improvements that should have taken place on the island a long time ago but were stalled because the Metro government was so intransigent and so obsessed with the policy it took on back in the 1950s and from which it was unable to turn.

I have been in politics long enough to know

that situations change, ideas change, political perceptions change. Therefore, what seemed a good idea at the time back in the 1950s when, let it be said, the city of Toronto gave up control of the islands to Metro, did not seem such a good idea in the 1960s and 1970s, as people became much more aware of the need to protect communities and recognized that where people lived was important and how important the kind of communities we had in this city were. That message was clearly learned in the city of Toronto by politicians of many stripes—and of none, I have yet to discover what politics John Sewell actually has.

David Crombie is a Conservative and has never hidden the fact; he certainly understood the islands issue and has been a staunch defender. He is one of the many people and some are in this House, who from time to time enjoy going over to the islands, as I do, and enjoy the unique atmosphere that exists on the islands. Because it is unique, for God's sake, how can one defend the politics of envy we have been getting from Paul Godfrey all along that say because something is unique and good we have to destroy it?

I am sorry to say this to the Minister of Industry and Tourism, as I know he is in the same party as the minister, but because of the role of Paul Godfrey in this situation, if he ever aspires for leadership of the Progressive Conservative Party, I hope the thing that eventually prevents him from getting it is the meanness of spirit he has chosen so consistently over so many years—

Interjection.

Mr. Cassidy: No, on this one the member for Wilson Heights (Mr. Rotenberg) worked with him as well.

Hon. Mr. Grossman: Today is not the time to be inflammatory.

Mr. Cassidy: I am not being inflammatory; I am just telling the truth. I want to talk about this issue. I felt strongly about it. I have taken a few political licks over this because, after all, my riding is 265 miles away from—

4:30 p.m.

Interjection.

The Acting Speaker: Order.

Mr. Cassidy: The Minister for Industry and Tourism should sit down if he wishes to interject.

The Acting Speaker: He should not interject at all. You have the floor.

Mr. Cassidy: As opposed to the politics of hope or even of pragmatism of which the Conservatives normally are so full, this is an issue that has cost Metro far too much in terms of the time, energy and effort it could have been devoting to other things.

I have learned in politics there are times when one cuts one's losses. Whatever Paul Godfrey felt or feels about the issue, why could he not have devoted his considerable political talents to other things that might benefit people more?

I suggested the other day to one or two of my friends that if Paul Godfrey was so concerned about how people could relax, disport themselves and enjoy themselves down by the waterfront, surely he would have done a great deal more good for the people of Toronto and Ontario if he had put the same energy and effort he has put into the Toronto Islands issue into fighting to have beer in the ball park. Then people who watch the Blue Jays could find solace, as they watched the Blue Jays go down again, with the occasional glass of beer, as is enjoyed in every other major league ball park in North America.

Why does Paul Godfrey not use his talents for that purpose, which would benefit as many as 30,000 or 40,000 people on a Sunday afternoon, rather than trying to fight, with his politics of envy, the islanders' right to stay over there.

A few members know I was a resident of the Toronto Islands for a year. It was a great year. It was an excellent year for me and my family after we had suffered some of the initial bruises of being in politics. It lent to me the title of "member for Ottawa and the Islands." That was something I resented. I went to the islands simply because I needed some time with my family and I resented the subject of my family being brought into this House the way the Premier (Mr. Davis) did in those days.

We discovered a community there. To Paul Godfrey, who says it is the most exclusive place in the world, I would put on the record that when I moved over to the island, I wandered over one evening, I got off the ferry, I talked to a few people and I was immediately welcomed. In the course of an evening back in 1973, a June evening I think it was, I was able to find a house that my wife and I subsequently rented.

That certainly does not happen in Forest Hill, the Bridle Path or any of the neighbourhoods Paul Godfrey seems to think are less exclusive than the Toronto Islands. If I had knocked on anybody's door and asked that kind of question in those neighbourhoods I know the kind of

response I would get, particularly if I was not wearing the right kind of clothes, the right kind of tie and driving the right kind of car. If he is looking for exclusivity, it is not on the islands, it is up there and people should realize it.

In 1973, I was asked to be an interlocutor with Tommy Thompson, then the parks commissioner. Tommy Thompson was a great parks commissioner in many respects, but he was a man who had a blind spot when it came to the island homes. In the end, on a long shot, I said to Tommy:

"If you are really keen on this issue, why have you accepted an honorary membership in the Royal Canadian Yacht Club on the island? Why are you prepared to give the yacht club a perpetual lease while you are so anxious to kick 60 islanders off and take parkland back from them? If you want the parkland, why do you not take it from the yacht clubs rather than from the people who live there?"

Tommy became frustrated. He pulled out his yacht club membership and threatened to tear it up. He carefully refrained from actually tearing the card, but he said he was going to. I am not sure if that did not shut him up for a few months, but certainly not permanently.

The yacht club has 33 acres on Toronto Island compared with 29 acres devoted to housing. Yacht clubs are the preserves of the rich, with only the rare exceptions of a few young people who are able to sail in the junior sailor programs. Apart from that, if one wants to be a member of the RCYC or the Queen City Yacht Club, one has to be able to afford a boat, a mooring, an initiation fee, several hundred dollars a year to belong and visits to the restaurant from time to time. It is a multi-thousand-dollar investment and therefore, open only to a privileged few.

Ironically, for their 33 acres, the yacht clubs pay a lease that is only one third of the amount of the taxes paid by the residents. The yacht clubs have had this position for many years. When it comes time to determine the market value costs of the land the islanders are using I trust that is the standard of values that will be taken as far as the islanders are concerned.

I talked about living over there. We have friends there now, friends to this day. There is a closeness and co-operation among the people who live on the island, born partly of the common situation they live in. They have to travel on the boat and they have to help each other. These past years they have had to take building materials over by pirate ships because

they could not take them on the ferries. The physical conditions create some of that closeness and co-operation.

Houses are cheek by jowl, much closer than most houses are located in an urban setting anywhere else in the city. Probably some special regulations will have to be made to allow that to continue. In winter they make their own entertainment because some of the ferries stop running at 6 p.m. . . . Even if they go on into the evening they only come until 11:30 p.m. and after that residents are on their own. They either stay in the city or else make their own entertainment over there.

There is no shop on the island. If they want cigarettes they have to go and borrow them from a neighbour or find somebody who will quietly sell them some. There is no liquor store on the island and the islanders have always have some unique arrangements as far as that is concerned; I hope it is still the same. The island used to be the only place in Metropolitan Toronto where not only would the milkman put the milk in the refrigerator if they were away at work during the day, but would also leave 24 bottles of beer. Is that still the case? Not any more? Shucks. Well, the old order changes, but up until 1973—

Mr. Stokes: I think we should review these arrangements.

Mr. Cassidy: Right.

Actually he would not put the beer in the fridge, let that be said, but he would put the beer inside the front door.

The islands community—and I suspect this is still the case—is one of the very few left in Toronto where many residents customarily leave their front doors unlocked during the day when they are absent. It is still sort of like this—not quite as much as before.

Mr. R. F. Johnston: Many of them have not got doors.

Mr. Cassidy: It is a unique community as well in the sense that here—I heard the member for Niagara Falls (Mr. Kerrio) talking about the need for energy-efficient communities—the major motive power on the island is foot power and bicycle power. There are no cars on the island apart from the police cruisers, the fire engines and one or two delivery vehicles that are allowed over there occasionally.

Mr. Kerrio: That is a step in the right direction, Michael.

Mr. Cassidy: That is right.

In all the time I lived on the island, for an

entire year, I drove to my front door twice, once to deposit my household goods in a rented truck and once to take them away. It was interesting when I was taking my household goods there because, unfortunately, as we drove the truck onto the island somebody opened the back door, revealing that we had household goods to be taken on, which I believe was not legal at that time. But fortunately the people who operate the ferries have been good friends of the islanders and had a certain selective blindness when the islanders were carrying out some of the normal operations of—

Mr. Rotenberg: You are breaking the liquor law.

Mr. Cassidy: What is that?

The Acting Speaker: Order.

Mr. Cassidy: This was a situation into which the islanders were put because of the stupid machinations of Paul Godfrey and of Metro council.

As I recall what we were talking about in this Legislature yesterday, if 250 islanders can bring Metro Council to a halt, to the point where finally, in defiance of political allies, this government is going to give the islanders a 25-year lease on life, then maybe 10 million Poles can bring the military regime to a halt in Poland as well. Maybe they can get democratic human rights and rights for working people. I wish them well. The principle is very much the same, except a bit larger over there.

The thing is that the island is a unique community. It does not have any roads. The roads are sidewalks that are four and a half feet wide. There are not two-way streets. There is no place for traffic. I remember when Michael was born. He is the youngest son of Peter Dewdney, the co-chairman of the Toronto Islands Residents Association, now aged seven. I remember watching him grow. In a car-free community, that child could be totally free.

4:40 p.m.

The island children develop in a unique way, rather like kibbutz children in Israel, who are special kinds of kids. They are not constantly, from a very early age, under the kind of fearful eye of their parents for fear of going out on the street, for fear of being run over or for fear of being picked up by some pervert or something like that. By the age of three or four, those island kids are wandering all over the place. Everybody knows who they are. If they happen to get a bit too far they are steered away and sent back home. That kind of thing does not occur in most

other communities. If some kid happens to fall into the water he is pulled out and brought home or else he is taken into a neighbour's home and dried out—

Interjection.

Mr. Cassidy: I mean from the water. The member for York South (Mr. MacDonald) understands only one meaning of that; I am a bit worried about that. They are looked after.

The existence of the island community has been a benefit to the people of this city in a very major way. Anybody who has ever enjoyed the solitude and peace of going for a walk on the Toronto Islands any month from the end of September until the beginning of May has to thank the islanders. I am damned sure that if the islanders had not been there, requiring as a consequence that there be a regular and frequent ferry service during the winter months, the ferry service either would have been cut back to negligible proportions or quite seriously could have been eliminated entirely. In other words, the access to the Toronto Islands, which is a unique park, would not have been there.

Moreover, over the course of the winter months as well as during the summer months on Ward's Island, here was Tommy Thompson and Paul Godfrey saying: "We want the island to be used for the residents of the city of Toronto. Park land is being taken away." But who operated the concessions and made sure that Cokes, milkshakes and hamburgers were available to people who came to use Ward's beach? Metro never opened a concession; it was the islanders who did it.

Who used to ensure that in wintertime, when people went over to the island to cross-country ski or to skate on the canals, there was a warm house they could go to? It was not Metro Toronto; it was the islanders who provided the warm house. Who has provided the events, spring and fall, summer and winter, that have attracted people to that community? It is the islanders who have done that.

Who has helped to pull out of the canals other people's children who happen to be visiting, and helped to mend visitors' scrapes and bruises and those kinds of things? It has been the islanders. Who has provided direction to people who were lost? It has been the islanders, knowing the community and being able to make that kind of contribution to the community.

If there were a rare ecological area in the path of the Spadina expressway, with unique flora and fauna, we know what would happen. We

know the situation where whole dams, hydro projects and those kinds of thing have been diverted because of the existence of rare biological or ecological features. That has occurred many a time now, because there is that kind of concern for the environment in North America today.

I cannot explain why it was that Metro Toronto council did not realize it had a unique human community here. It is a car-free community with the unusual kinds of characteristics of an urban village unlike any other part of Metropolitan Toronto or, for that matter, almost any other part of any city that I know in Canada, let alone in North America. I think that kind of thing should be saved; it should have been saved if only as a laboratory of other ways by which we can organize ourselves in metropolitan conditions.

As the price of fuel goes higher, as we become more and more energy-conscious and energy-short, as people get less and less willing and more and more reluctant to drive hundreds of miles on weekends through heavy traffic to a summer resort, we will be spending more time together in our cities. I can see this in my own riding of Ottawa Centre. Fifteen years ago one would have been able to shoot a gun down many of the streets in downtown Ottawa on summer weekends, because no one was there. Now the streets are thronged with people who want to enjoy the city during the summer months rather than going outside.

In Ottawa we have the Gatineau just a few miles away; it is not a matter of travelling two or three hours up to Wasaga, Rice Lake or Muskoka. If that happens in Ottawa it is clearly happening here as well. We need to know the kind of community we can build where people can learn how to get together. I know some of that kind of getting together is taking place at the Crombie co-op down in the St. Lawrence area.

The other day I was up at Beech Hall, the senior citizens' co-op residence in the borough of York, which is in the riding of my friend the member for York South and which was saved only at the last minute after a boneheaded effort that just about paralleled what Metro council has tried to do to the islands. It is a community there as well, but in our high-rise buildings we do not have those communities. We need to build them, and people can learn from what happens on the island.

In many of our residential communities we used to have a sense of community co-operation

after the war because people had to get rinks and facilities for kids. But some of that has been lost now. We need to learn how to provide that again. People need to mix and mingle, not just on the basis of social class, or on the basis that I am an engineer or you are an engineer, or at the press club where the journalists mingle, or for reasons like that, but also people who are relatively comfortable and people who are of modest means, people who work with their hands and people who work with their brains, people who are retired and people who are young, little children and older children all together, young adults and older adults, different generations and different stages. That occurs on the islands. Almost uniquely, it has been occurring on the islands, and I hope very much that will be saved.

Over the 25 years and beyond it will be priced out of existence because of the further vendetta Metro council may try to bring when it sits down to negotiate with the city.

I think you have gathered, Mr. Speaker, that I am speaking warmly and strongly in support of the bill. Perhaps I can give one other vignette.

When my son Matthew was about six and we were on the island he went half days to the island school, because it happened he was not allowed into their grade one program and he had a half a day free. There was an outdoor rink, and we happened to have a cold winter which gave us about 75 or 80 days of good ice on the rink the islanders maintained. My little kid, Matthew, who was learning how to play hockey, used to go out there. He would play hockey with Ronnie Handy, who was about 10 or 11 at the time. Ronnie Handy has now been signed to become a player in the National Hockey League and is a star with the team in Kingston. He used to be at Sault Ste. Marie. He was about 10 at that time.

Matthew played with him and with some of the teenagers of 15 and 16. They saw nothing unusual in slowing down their pace a bit in order to help this little kid of six who was nuts on hockey and was just so proud to be able to play with the big kids. That is the kind of spirit I like to see in every community, but unfortunately there is just not enough of it happening.

I give the member for St. Andrew-St. Patrick (Mr. Grossman) credit in this one area where he at least as a Conservative has not only kept the promise but has got his government finally to keep the promise. I happen to think that perhaps some years ago the province should have stepped in, and rather than just delaying

the inevitable decision they should have cut the Gordian knot and resolved the situation far sooner.

I think even now there are some problems that will be entailed with what happens, partly because of the bitterness and partly, because of the fight that has gone on; like boxers, both are lying down almost exhausted on the mat. This has affected and afflicted a whole generation of people on the islands.

The member for St. Andrew-St. Patrick said this is a matter of the preservation of a neighbourhood. If the principle of preserving a neighbourhood is important in downtown Toronto, in the suburbs, if it is important in my riding, in Wellington ward where I live in Ottawa Centre, in Dalhousie ward, in LeBreton where we are building a new community in Ottawa Centre; if it is important in Scarborough West and other places like that, it is important there as well.

We are all diminished as neighbourhood after neighbourhood has been threatened or is being demolished by the wrecker's hammer, or because of the gentrification which alas is taking place in too many neighbourhoods in Toronto, in Ottawa and across the province.

We cannot be selective in terms of this principle. If we believe in the principle in general we have to be prepared to apply it. Praise be, the government has been prepared to apply it in this particular case of the Toronto Islands. I regret that the Minister of Municipal Affairs and Housing (Mr. Bennett) says he thinks the rights of private property owners are being abridged too much when it comes to interfering with their right to demolish low- and modest-income housing in order to build luxury condominiums or convert to luxury apartments. Surely the principle is the same?

There are apartments in the riding of the member for Eglinton (Mr. McMurtry) where people have lived for 30 or 40 years. They can afford to stay there and they are a part of a community every bit as much as my friends from the islands are part of their community.

4:50 p.m.

Now that the government is accepting the principle with respect to the islanders, perhaps they could be consistent and accept it as well with respect to these communities in older, modest-income apartment houses in various parts of Toronto. I refer to houses on Eglinton Avenue, on Heath Street and places like that which are menaced by the wrecker's hammer. They should look not only at the bottom line but

at the lives of the people which are being disrupted because they are trying to kick them out.

I suppose I could say more. I will desist. My friend the member for Scarborough West was at the point of suggesting even that, unless there were further notes that he wanted—

Mr. R. F. Johnston: Further notes.

Mr. Cassidy: Further notes. That is fine, thank you. I just want to echo the member for St. Andrew-St. Patrick when he said there has been far too much anguish over this issue. There has been far too much conflict over this issue. I regret to say—perhaps the member would not want to say it, being a Tory, quite as directly—the root cause of it has not been the people of Toronto. They have supported the effort to save the island homes. It has not been the people of Metropolitan Toronto because poll after poll has shown they have supported the fight. It has not been the people using the islands, because even on the most crowded of summer weekends the park land area of Ward's Island has been beautifully empty and had very few people using it. It has been Paul Godfrey and his small coterie who have been moved by jealousy or envy or something like that.

In conclusion, I would appeal to Mr. Godfrey and to the other people on Metropolitan council not to spend any more political resources, not spend any more tax dollars in trying to fight a further rearguard action or in trying to screw so much money out of the city of Toronto they wind up making the islands into what it is not now, but what they keep on alleging it is, an upper-income community. Do not do it that way. Show some generosity. Show some magnanimity. Accept the fact that this time the people of the province, through the Legislature, are using the powers we are granted under the constitution of this province in order to say that this community should stay.

Co-operate in it and help in making the islands a unique, small, urban, downtown community, a jewel in this city, a tourist attraction, something people have come hundreds of miles to see and should continue to come hundreds of miles to see, something else of which this great city of Toronto can boast in talking about its reputation as a new world city.

We earn that title in this Legislature by acting with respect to the islands. I wish that Metro Chairman Godfrey and his friends would understand what the issue is all about, would yield with grace now and co-operate with the city of Toronto in ensuring that the next 25 years for

the islands are good and fruitful ones and that the islanders can continue to contribute to the diversity, variety and richness which make this city great.

Ms. Fish: In consideration of the hour and of the fact that many speakers from all sides of the House preceding me have reviewed the history of the islands as well as made mention of the wide variety of people at all levels of government and of all parties who have been active in support of the islanders, I will confine my remarks simply to sharing with you, Mr. Speaker, my very particular delight that after having spent so very many long years working at city hall on behalf of islanders to preserve their community I now find myself, not very long after coming to Queen's Park, being able to participate in continuing that effort and finding myself in a position where I trust this day will give second reading to a bill which will, in fact, preserve the community.

I also wish to share with the House the best wishes and delight that is also expressed by my colleague, the former mayor of the city of Toronto, David Crombie, who is now the federal member for Rosedale in whose riding the islands also rest. He was pleased to have seen the results of his labours over the years, not only municipally but also in his continued interest and attention on behalf of his constituents as he dealt with myself and other members of this House in considering the bill before us. So I wish to share the delight both of myself and David Crombie, and urge the House to support this bill on second reading this day.

Mr. McGuigan: I rise to support Bill 191 and I congratulate the minister for presenting it. Our members might wonder what interest a member from southwestern Ontario has in a bill that affects the city of Toronto.

First, as other members have expressed it, especially the member for St. Andrew-St. Patrick, there is the principle of standing up for a group of what we might call "little people," people who find themselves standing in front of the juggernaut of big government, people who feel helpless in their situation, yet finally, through their perseverance and the perseverance of members speaking on their behalf, finally find they are being recognized by the government itself.

On that principle I support this bill. As a member has stated, there is not much politics in it although I wonder when I listen to the length of some of the speeches that have been made.

On a matter that has so little politics, one would wonder why there were such long speeches. Nevertheless—

Mr. Stokes: Some people don't need a reason.

Mr. McGuigan: I guess that is right. My reason is because I feel for these people. I have a community in my riding which I submit parallels this group on the Toronto Islands. I am speaking of the residents of Rondeau Provincial Park. This was a park that was established I think in 1894. It is the second oldest provincial park in the province.

One of the reasons it was so successful in its early days was it leased land to cottage holders. These cottage holders put up quite substantial places. A good many of them in the early days came from the city of Detroit. They were reasonably affluent people and they put up quite decent cottages. Many were from the city of Chatham and many are farmers from the rich lands of Kent and Elgin counties.

They built a rich community within the park that, as other members have stated, provided stability, provided help for those who might need it in times of stress and was a great education for surrounding people. When I was a youngster, it was a habit of my mother, dad and family to go for a picnic on Sundays. We would drive to Rondeau park, go to the picnic grounds and have our meal.

There were also slides, swings and a few amenities of that sort. We would take a drive through the wilderness area of the park and come around to the beach-front where the cottages were. It was a great outing for people in that day to look at those cottages and see a lot of the automobiles there from Detroit—

Mr. Philip: A point of order, Mr. Speaker: This is a very specific bill and I ask whether or not the member is in order.

The Acting Speaker: On the point of order, I can see the honourable member for Kent-Elgin is drawing a parallel between another park and this situation. Therefore I am allowing him to continue.

Mr. McGuigan: Thank you, Mr. Speaker. I was contemplating whether I would speak on this. I knew that in your fairness you would see the parallel. I am supporting this because I witnessed this in my riding.

Bringing it down to the present, each year I am called upon to go to the Rondeau Leaseholders Association, which has since 1954 been presented with a policy of phasing out the cottages in the park, a policy with which I really

do not quarrel. If the land is needed for other public purposes and it is demonstrated it is needed, I think an orderly way should be devised to bring those people out.

But it seems a most cruel way has been devised. That is to allow the people to stay there until their leases are up or until the leaseholders have died, cutting out their heirs or children from maintaining their interest in these leases.

5 p.m.

The result of this is we now have an ageing and sometimes feeble community, populated with older people. There are very few young people there. They are not taking any interest in their cottages, they are not maintaining them, they are not painting them and keeping the roofs up. So I am called every year to these meetings. It really touches my heart to hear these older people talk about their problems, the fact there are no young people about to reassure them, to add strength to the community. They find themselves an ageing and dying community.

The Acting Speaker: I assume the member will draw this together into Bill 191.

Mr. McGuigan: Yes. So viewing this situation and realizing it is a dastardly way to treat good people, I can understand how the people of the Toronto Islands felt when they were faced with the same sort of phase-out policy. I call upon the Minister of Intergovernmental Affairs (Mr. Wells) to speak to his colleague the Minister of Natural Resources (Mr. Pope) and ask him to review this situation in Rondeau Park and allow the community to go at least as a community of young and old people to a certain date. If at a certain date they are required to move out, then have them all move out together.

As the member for Ottawa Centre (Mr. Cassidy) has said, things change. I think there have been many changes since 1954 that would call for a review of the policy. People's recreational habits have changed. We have many more backyard pools, we have many more recreational facilities, gigantic facilities. I am thinking of the Wheels Inn in the city of Chatham, which some members may be familiar with, or some of the large complexes that now take the place of the swimming beach. I call upon the minister to use his influence to review whether the policies made in 1954 are really called for today. I support this bill.

Ms. Bryden: Mr. Speaker, I too rise to support this bill, and I hope all members of the Liberal Party will join us in supporting it, even

though there are so few of them from Metropolitan Toronto who may understand how long this issue has gone on and the importance of settling this long-standing dispute.

Mr. Kerrio: Certainly we are going to support the bill.

Ms. Bryden: As long as they support it, for whatever reasons, we will be glad to have that support.

The island community is not that different from the Beaches community. I am sure we would have resisted any effort by Metro council to say they needed any more of our waterfront for Metro parks, and we would have said that residents also have rights. But I hope the city of Toronto would defend any such proposed takeover and would not make some of the mistakes it made when it let Metro council get the upper hand on the island community. It may have been done in good faith and the council may not have expected Metro council to act the way it did, but unfortunately the city almost lost the battle for a community, which has been a part of the city of Toronto for many years and only recently under the jurisdiction of Metro council.

We know that Gallup polls have shown a majority of the population of Metropolitan Toronto favour preservation of the island community. They know we cannot afford to destroy neighbourhoods, particularly in this time of housing shortages. They know the island community is an asset to Metropolitan Toronto. They know there is plenty of park land on the islands already. I have been to the islands many times each summer and I have never yet seen it overcrowded.

When Metropolitan Toronto council attempted to destroy the island community it was going against the wishes of the majority of the people in Metropolitan Toronto and going against their best interests for the preservation of neighbourhoods and of park land.

It is rather sad this issue became a field for such an unseemly battle between the Metropolitan government, the city government and the province. The Metropolitan Toronto council used the slogan of municipal autonomy as its shield. But if the so-called preservation of autonomy is used to obstruct the wishes of a majority of the population they presume to represent then it is not an exercise of autonomy, it is an exercise of tyranny. It is using electoral power obtained from an inefficient electoral system, which is an indirect election system, to

wage a vendetta against a particular neighbourhood. That use of electoral power should be condemned.

The methods used by Metropolitan Toronto council were, to say the least, despicable. They continued to harass the island residents throughout the dispute, over many years, both in the courts and in other ways. They spent a lot of taxpayers' money on these manoeuvres, but their final desperate effort to mobilize hate against the residents by a series of advertisements is the nadir of their vendetta.

What they put into those advertisements should have been outlawed by our hate literature laws. It might even have been called a form of attempted genocide. It certainly should be subject to a charge of false or fraudulent advertising under the Business Practices Act.

As Mr. Swadron has pointed out in interviews, many of the figures in the advertisements are either completely false or torn out of context. The use of taxpayers' money to put this kind of advertising into the newspapers is rivalled only by the advertisements of Colin Brown and the Citizens' Coalition or the Moral Majority and their intemperate statements.

I would like to commend the gallant band of island residents who fought the battle. They are not freeloaders. They are ready to pay their way but Metropolitan Toronto council made it appear they were not by refusing to accept their taxes or accept any increase in the ground rent. These citizens do not want special privileges. They want to be allowed to remain as a neighbourhood in Toronto in the same way as other neighbourhoods remain. They are ready to pay their way, I am sure of that.

There will be credits on the side of allowing them to stay, not all of which have been counted. There will be less vandalism in the public buildings in the parks if there is a community on the islands. I would say the police costs will probably be less because there are people living on the islands.

5:10 p.m.

The fire costs have to be there any way for other buildings on the islands. There will be the presence of a friendly and welcoming neighbourhood for people who wish to visit the islands, unlike the closed gates of the Royal Canadian Yacht Club.

I am very happy a solution to this long drawn out debate appears to have been reached. I hope all members of this House will support the bill.

Mr. MacDonald: Mr. Speaker, in the long battle over the islands, I have never raised my voice once. Not out of disinterest, but enough other voices were in it to produce that cacophony of sound in confusion. I view the whole thing with detached objectivity. Therefore, I think I can come before this House and say, from that objectivity, I strongly support this bill.

I rise to make only one point. Listening to the exchange this morning between Barry Swadron and John Downing, and some of the comments of the "super mayor" with regard to this whole affair, I heard some interesting charges made against Mr. Swadron for having breached what was described as the proper conduct for a commissioner. It was improper, it was not the thing to do. Mr. Swadron came back and accused Metro of dealing in misrepresentation and of deception in its ads. This, I suppose, provoked the retort from "Mayor" Godfrey.

I would just like to remind you, Mr. Speaker, that not only was it not improper, not only was it not unprecedented, there are some very illustrious precedents for commissioners who went out and battled in defence of their report. Members may recall, perhaps they have forgotten, but back in the middle of the 1960s when Mr. Justice Hall made his report on health insurance in this country, and inevitably it became the butt of attacks by the chamber of commerce and all economic establishments of the nation. Mr. Justice Hall, a distinguished former Conservative with a long and distinguished career on the bench, went on a nationwide speaking tour to defend his commission report and to refute misrepresentation and attacks made on it.

I think the record should be set straight. Perhaps Mr. Godfrey should note what some other distinguished Conservatives have done on some occasions when their commission or report was misrepresented. This bill is worthy of support and I support it with enthusiasm.

Hon. Mr. Wells: Mr. Speaker, I would like to thank all members who have taken part in this debate, thank them for their words, their sentiments and for their summations of all the reasons why this bill is before us today.

Also, I would like to echo the words of thanks that many have included for a number of people: the island residents themselves, the people at all political levels in this province, the people at the municipal level who fought on behalf of the islanders, the people at this provincial level and indeed the former mayor who is now at the federal level and who has

continued, quietly behind the scenes, to fight on behalf of the islanders. I am, of course, referring to David Crombie.

Mr. Kerrio: We knew why.

Hon. Mr. Wells: He has consistently, of course, supported the island cause.

Numerous people have fought on behalf of what I think is a very legitimate cause and have caused us to be at the stage where we are today with this bill before us.

I particularly want to pay tribute to my colleague the member for St. Andrew-St. Patrick (Mr. Grossman) in whose riding the islands are located and who has consistently and unswervingly supported that cause and I think he has outlined today to this House why he has taken that particular course of action.

Mr. Bradley: It is called political survival.

Hon. Mr. Wells: As I have told members, it is not political survival. That is why we all the more have to appreciate and recognize the reason he fought for this particular issue. It has nothing to do with his political survival.

I would like to tell members why in the last year and a half I have fought on behalf of this particular cause. I am very proud of the fact that I was born 51 years ago in a community in Toronto now known as the Beaches and then known as the Beaches. It is a community with a spirit somewhat akin to the original Toronto Islands community. As the member for Beaches-Woodbine (Ms. Bryden) has already alluded, it is a community that would also rise up if people tried to destroy its character.

I was a lifelong resident of this city, or at least of this municipality. I am not now a resident. Living in the suburbs, people tend to think I will be with that group of political figures who at this time are opposed to anything but park land on the Toronto Islands. Having had that association with this city and with the Beaches community, having visited the Toronto Islands at least once a year since I was five years old, and many years many more times, I have appreciated the kind of environment we had on the Toronto Islands.

Looking back, at one time I would have agreed completely that the whole of the Toronto Islands should become park land. I agreed with what Metro was doing and I saw nothing wrong with it, but in the last few years I have become more deeply involved with this particular cause. When I go over to the Toronto Islands now, I regret that some of the homes were destroyed. I see the kind of thing going on in other communi-

ties in Toronto like the Beaches, the old Cabbagetown area, Bloor and Spadina, Bloor and St. George and a whole host of other areas.

There used to be homes on the road from Hanlan's Point where one got off the ferry and walked around the sewage treatment plant and the school, but nothing is happening there now. It is a nice area to walk around in, but nothing is happening. There were some beautiful homes there which, if renovated properly, would have been a great addition to that island.

Probably we went a little overboard in creating the park over there. There has always been a park on the islands. Ever since I began going over there in 1935, there has been a park there where we held our Sunday school picnics. That park area has been expanded. I think that is great; we needed that for the residents of all Metropolitan Toronto. That park area has expanded particularly around Centre Island. However, Hanlan's Point is still largely unused. In fact, it is probably not used as much as it was in the 1920s when there was a baseball field and amusement park over there, which are no longer there.

The residential community adds a dimension to the islands and that is why we are very pleased to bring in this bill to preserve it. The Toronto Islands can be a composite of a number of uses. Contrary to what appears in the Metropolitan Toronto ads about Metro needing more park land, Barry Swadron says there is enough park land there for the immediate future. Anyone who has seen the use of that park land knows there is adequate park land and recreational facilities. The homes at the other end of the islands, the Hanlan's Point end, that have not been demolished can remain there for the 25 years this bill guarantees and be a viable residential area.

It is important to remember, as Barry Swadron states in the early part of his report, that we are talking about 33 acres out of 612 acres, about five per cent of the whole island, is now being left in residential use. That is not a grab of park lands. It is not that we who are bringing this bill in are opposed to park lands.

5:20 p.m.

I really resent very much the statements in John Downing's column of a few days ago, where he said that if the Minister of Industry and Tourism and the Minister of Intergovernmental Affairs and I think he included the member for St. George (Ms. Fish) in the triumvirate, had been in charge of things New York City would not have had Central Park, San

Francisco would not have had Golden Gate Park, London England would not have had Green Park and so forth. What utter nonsense. We are not opposed to parks.

What we are proposing is protecting communities, preserving communities, and an integrated proper use of all the land in a municipality. Here we are talking about five per cent of the islands remaining in residential use.

The one other thing I want to comment on in second reading, just to set the record straight, is that in the ads run by the municipality of Metropolitan Toronto there is talk about the cost of fire services, the cost of schools and the cost of police services. I think it must be made very clear, and I just want to quote this, "In 1959, the cost for fire services was about half a million dollars, \$500,000."

Whether there is a residential community or not on Toronto Islands, there are a number of buildings. There are yacht clubs—and not all the yacht clubs, I might say, and here I will differ from some of my friends, are of the very exclusive nature of the Royal Canadian Yacht Club—there are a number of yacht clubs on Toronto Islands where people are keeping boats, all those people feeling that they are valuable property—

Mr. Di Santo: All the workers from Downsview have their yachts there.

Hon. Mr. Wells: Well, there are a number of yacht clubs there, and as I recall there is a public yacht club where people can dock their boats. Anyway, the fact is that whether there are homes there or not, because there are these facilities plus Metro buildings, there is a constant need for 24-hour fire service. So there have to be fire facilities. The crews are there, and the facilities would have to be there whether the residential community was there or not.

The same could be said for the police facilities. There is, of course, need for an enlarged police facility to assist during the crowded seasons in the summer, spring and fall, when the park is used to maximum capacity, but at all times of the year some protection facilities are needed because of the very nature of the islands.

The other thing is the schooling facilities. I am told that 30 per cent of the students who go to the school on the islands—that is, the public school facility as opposed to the outdoor natural sciences school, which is another very important facility there used by Toronto school children from all over the area—are brought over from the mainland to attend that facility, a

number of them from the apartment facilities just around where the ferry docks are, the Harbourfront apartments and so forth. So those school facilities are used both for children coming from island homes and from the mainland, and I think that is a good use of school facilities.

One other point I would like to comment upon at this particular time is the matter of the cost to the tenants and the way the cost will be worked out. I want to indicate again how this is going to work out in the bill. There is going to be a leasing of the lands by the city of Toronto from Metro. Because of the 1956 amendment, Metro was given the lands for park purposes. We are now reversing that for roughly 33 acres so the residential community can remain.

The lands will now be leased by Toronto from Metro. That will be done at market value. In other words, the market value for all the land on which the residences are located will be computed and the rent Toronto will pay to Metro will be based on that market value. If they cannot agree on that amount, there is provision for arbitration under the Arbitrations Act with a single arbitrator.

That is where I, for instance, got the figure of \$1 million or \$1.5 million after trying to do some quick computing on \$500 a month for 250 properties. It could lead one to believe that, if that kind of figure or something like that applied, the amount paid by Toronto to Metro could amount to about \$1 million or \$1.5 million.

Metro, then, has rented or leased the lands and Toronto is now the one that can give the leases to the occupants, to the people who it is decided shall be the occupants under the ground rules laid down in the legislation. Toronto will use the market value as a guide to setting the rent, but the bill does not provide, and I think it is important to realize this, that the actual market value used to compute the rent Toronto pays to Metro will be used for Toronto to compute that rent for the residents.

The city of Toronto has within its discretion the power to set the rent that will be charged using as a benchmark or a guideline, if there is a dispute, the amount it is paying to Metro. I think it is important to remember that is the situation and—

Mr. Stokes: Are you saying it is possible for them to subsidize their rent?

Hon. Mr. Wells: Yes, I am saying it is possible. The city of Toronto will have the freedom to decide what it wants to do in so far as rents are concerned in the lease it grants to the occupants of the homes.

I point that out because when we come to discuss the amendments there is an amendment or a suggestion from the islanders that they should have some prior presence at the arbitration between Metro and Toronto. I am trying to point out that the situation as to how the rent is decided, while it may be a benchmark, is not where the crunch is going to come as far as the rent they pay is concerned; it is their negotiations with Toronto as to the leases they get.

There is no provision in the bill that says the market value decided for the other rental between Toronto and Metro has to apply. There are two different situations, and it will be between the occupants of the homes and the city of Toronto to decide what the rents will be. There are provisions as to how that will be worked out.

There are a number of other things I could comment upon. One other thing I would like to say is my friend the member for Niagara Falls talked about public ownership. All I can do is quote to him the second recommendation of the Swadron report. As he knows, we pledged before the election we would implement the essence of the Swadron report. We always keep the promise, so what I want to—

Interjections.

Mr. Grande: That sounded hollow.

Hon. Mr. Wells: No, it is not hollow. I said we would implement the essence of the Swadron report. The first recommendation of the Swadron report is to have a residential community for 25 years and the second recommendation is that the subject lands remain now and forever in public ownership. Mr. Swadron then goes on to explain why he made that particular recommendation.

5:30 p.m.

In my earlier thanks to the many people who worked on this matter over a good number of years, I did not say a particular word of thanks to Barry Swadron.

Barry Swadron is a very competent and intelligent lawyer in this city who has made a great contribution to the public domain in this province. I recall when I became Minister of Health back in 1969, when I first met Barry Swadron I learned that he had been one of the moving forces in drafting the new Mental Health Act at that time.

Mr. Kerrio: Was he impartial?

Hon. Mr. Wells: He certainly was impartial. He was one of the moving forces in drafting the new Mental Health Act back in the 1960s which

was legislation that was followed by many other provinces. He has done a lot of work in the social welfare field, in the community and social services field and, as some of the members may or may not recall, he also did a commission report for us on welfare, family benefits and general welfare assistance and so forth.

He provided a very good report at that time and some recommendations which, if they read back, members will find were very prophetic. He also does a fair amount of work with the Ministry of Health to this day. In this case, although the last thing he needed was more things to do and more tasks to undertake, it was because I asked him that he said he would take on this commission.

Mr. Kerrio: Did you pay him?

Hon. Mr. Wells: Yes, we paid him.

Mr. Kerrio: I thought he volunteered.

Hon. Mr. Wells: We paid him, but to some people it is not a case of whether you are paid or not that counts, it is whether you have the time to really undertake a study such as this.

Mr. Kerrio: How dedicated was he?

Hon. Mr. Wells: How dedicated?

Mr. Kerrio: What did you pay him?

Hon. Mr. Wells: We paid him something like \$80,000, but that took a lot of work.

Mr. Nixon: What a sacrifice that really was.

Hon. Mr. Wells: My friend and I, not being members of the legal profession, do not have an appreciation of all the costs that go with that. You have to take care of your partners too.

Anyway, what I want to say is that the original idea was that Barry Swadron would head a commission that would be made up of five people and that Barry, being the chairman, would have two representatives of Metro and two representatives of the city of Toronto, and it was hoped that through his work we would be able to come up with a solution to the island situation that would be acceptable to all and would provide a blueprint for the solving of this problem.

Because Metropolitan Toronto council in its wisdom decided not to participate, although the city of Toronto appointed its two representatives, we were not able to realize the original idea of the Swadron commission being a commission that would hear all the facts, study the situation and, supposedly with people from both camps, would be able to come up with a solution that would be mutually acceptable.

Metropolitan council chose not to appoint

any representatives and, in fact, shunned the Swadron commission. Swadron, however, did hold hearings. He listened to all sides. He brought forward all the facts and did the first really authoritative study on the matter. I think his report, Pressure Island, is a good background piece of information with recommendations the essence of which this government was happy to accept. We based our bill on the report.

We thank Barry Swadron for the job he did. We thank all the people who have worked over many years to bring us to the point where we are today.

I commend this bill to the House for its passage.

Motion agreed to.

Ordered for committee of the whole House.

CREDIT UNIONS AND CAISSES POPULAIRES AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 151, An Act to amend the Credit Unions and Caisses Populaires Act.

Mr. Boudria: Mr. Speaker, I am pleased to speak in favour of Bill 151, as I hope all members of this Legislature will be. Unlike one member of the New Democratic Party who expressed some concerns yesterday, I am not particularly concerned with the veto that the government is going to have over the appointments listed in the bill. Having consulted the president of the Fédération des Caisses Populaires de l'Ontario, Mr. Jean-Baptiste Alie, who lives in my riding, I want members to know that the federation of caisses populaires is not all that concerned with that feature of the bill either.

However, I am a little concerned with one aspect of the bill, and I wish to propose an amendment later on to deal with that. My concern is that once the government has decided to take over a credit union or a caisse populaire, there would really be no process of appeal. This concern was also expressed by the Fédération des Caisses Populaires de l'Ontario, and it wanted an amendment that would allow an appeal by some mechanism to the government. As I say, I will be proposing an amendment to that effect later. I understand the New Democratic Party also will be proposing an amendment to that bill.

Mr. Di Santo: A better one.

Mr. Boudria: I notice one member says that it is a very good amendment. The Fédération des

Caisses Populaires de l'Ontario thinks we should be against that amendment, because it says the government should have had this authority all along. The federation is not in favour of this particular view, which says they are going to have it for only a little while and then revert back to the original principle of the act in 1985.

I think this bill is very necessary. In Quebec, not long ago, we saw some of the runs that occurred on the caisses populaires. We certainly hope such a situation would not occur in Ontario. Of course, we know that our financial institutions here in Ontario are in far better shape; at least the caisses populaires certainly are.

Nevertheless, for the public to have the confidence that it has had in those institutions, it is necessary to have this legislation. By having this kind of legislation, there will not be the fears that occurred elsewhere about the investments in credit unions and caisses populaires.

I am sorry to see that some credit unions are in the financial shape they are in today. That is a rather unfortunate set of events. I guess it is a worldwide phenomenon because of the high interest rates and, unfortunately, our country is part of that process. We know that some of the credit unions have invested money at 10 per cent and are trying to attract new money in at 17 per cent. Obviously, they are short of funds and, until the interest rates go down, that situation will not improve.

5:40 p.m.

Somebody said yesterday that Ontario Hydro, which has sold some of these bonds to credit unions, should refinance them at a higher interest rate. I think that would be very improper. Ontario Hydro should be run in a more businesslike fashion. This is what we have advocated as a party. It would not be in anybody's best interests to refinance to pay more money; that suggestion is ludicrous.

Having said that, I will conclude my brief statement on this bill. I want members to know that the Fédération des Caisses Populaires de l'Ontario is very much in favour of this bill. However, they would like to see some form of amendment such as the one I will be proposing later. The minister and everybody concerned has a copy of this amendment now.

Hon. Mr. Walker: Mr. Speaker, in speaking to the principle of the bill before us, Bill 151, An Act to amend the Credit Unions and Caisses Populaires Act, I would have to say that the amendment you see before you today, in terms

of Bill 151 and the subsequent amendments that will no doubt be introduced in the next few minutes, presuming that we go into committee at that time, are basically the results of a grass-roots movement within the credit union movement.

In fact, on November 7 a special general meeting of all member credit unions of Central was convened here in Toronto. After some very lengthy discussions, they ultimately concluded that they would set up a task force for the purpose of studying their financial future and their economic outlook. It was not a secret by then, of course, that there was some difficulties related to the matching of funds, difficulties that have been found in virtually every jurisdiction in Canada and in every jurisdiction in the United States.

Matching high interest rates is a real problem, making life very difficult. To the credit of the league and the member unions who gathered that day, they set up a task force for the purpose of redirecting their future. That task force has been meeting incessantly since November 7 to attempt to resolve its direction. With that in mind, they came forward with a number of amendments.

It may appear a bit complicated. I ask members to bear with us in this complication. But it is in the best interests of the credit union movement that the proposed amendments, both those to be introduced later on today and those already in Bill 151, be approved and passed by this Legislature during this session, and obviously during this week, to avoid any difficulties. Once they have determined the direction to head in, it will be time for us to put that action into place.

In fact, there are a number of people representing both Central and the task force in the west gallery: the president of the task force, Mr. John Buddle, who is from Burlington; the vice-president, Mr. Bill Goertz; Mr. Tony Niessen; Mr. Warren Hanstead, who is the chairman of Central; Mr. Al Charbonneau was there a few moments ago, and I believe, if I see clearly up there, there is Mr. Fred Jones of Thunder Bay, who is from the Great Lakes Credit Union. These people show that it is a grass-roots movement to provide for the best direction of the credit union movement in Ontario.

Regarding the amendments that members will see in a moment, I just want to make a comment, not about a specific amendment but about the purpose for bringing them in and tying the two together. The basic principle of Bill 151

is to establish a procedure to protect investors and shareholders of credit unions. This was done by providing for a guaranteed procedure and a procedure to take over credit unions operations that found themselves in extreme financial difficulties.

The amendments are in keeping with this principle and provide an additional procedure to protect the interests of the credit union movement by establishing a liquidity fund and by clarifying the power of the Ontario Share and Deposit Insurance Corporation to take over leagues finding themselves in trouble. While amendments are lengthy, the principle is the same, and that is the protection of the credit union movement.

Once it was determined by Bill 151 to provide support for the credit unions by the Ontario Share and Deposit Insurance Corporation, it was necessary to clarify how this would be done.

The proposed section 118(a) of the act that I will make reference to in a few moments provides for a guarantee upon terms and conditions. As a result of our discussions with the Credit Union Central of Ontario, we have determined a specific set of circumstances under which the guarantee could be given to the central.

Thus the amendments set out one set of circumstances and conditions that might have been prescribed by the Lieutenant Governor in Council. We think they should now be in the bill and, as a consequence, that will be what we will be proposing shortly. With that, I think it would be appropriate for us to move into the committee of the whole House.

Motion agreed to.

House in committee of the whole.

CREDIT UNIONS AND CAISSES POPULAIRES AMENDMENT ACT

Consideration of Bill 151, An Act to amend the Credit Unions and Caisses Populaires Act.

On section 1:

Hon. Mr. Walker: Mr. Chairman, I have an amendment that has now been distributed to everybody in the House.

Mr. Chairman: Hon. Mr. Walker moves that section 1 of the bill be struck out and the following substituted therefor:

"1. The Credit Unions and Caisses Populaires Act, being chapter 102 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following sections:

"92a. (1) A league may maintain a liquidity pool designated as a 'mandatory liquidity pool.'

"(2) Subject to section 92b, a league shall not maintain a mandatory liquidity pool unless (a) it has submitted a plan for operating the pool to the director and the director has approved the plan, and (b) the Lieutenant Governor in Council has by order authorized the league to maintain a mandatory liquidity pool.

"92b. (1) Where in the opinion of the Lieutenant Governor in Council a league should maintain a mandatory liquidity pool, the Lieutenant Governor in Council without holding a hearing may by order direct the league to maintain such a pool and the league shall thereupon maintain such a pool.

"(2) An order made under subsection 1 may contain a plan for operating the mandatory liquidity pool.

"92c. (1) A league that maintains a mandatory liquidity pool shall operate the pool in accordance with the plan approved under clause 92a(2)(a) or included in an order under subsection 92b(2).

"(2) Each credit union that was a member of a league on July 1, 1981, or such other date as may be prescribed by the regulations, which league has been authorized under clause 92a(2)(b) or directed under subsection 92b(1) to maintain a mandatory liquidity pool, shall deposit and maintain assets, which are authorized investments under subsection 4, with such league, as part of the mandatory liquidity pool, having a market value that is not less than 10 per cent of the member credit union's share, deposits and borrowings determined as of the 31st day of December of each year.

5:50 p.m.

"(3) A credit union required to make a deposit with a league pursuant to subsection 2 shall be exempt from the requirements of section 92.

"(4) Subject to such limitations and restrictions as may be prescribed by the regulations, a league shall invest the assets of a mandatory liquidity pool in (a) cash, including deposits with a chartered bank in Canada, a loan or trust company registered under the Loan and Trust Corporations Act, the Province of Ontario Savings Office or a league, providing that such deposits are callable within 90 days, (b) unencumbered bonds, debentures or other obligations of or guaranteed by the government of Canada, or by the government of any province, valued at market value, and (c) such investments as may be authorized by the regulations.

"(5) A mandatory liquidity pool shall be managed by an investment committee consisting of three members nominated by the league

who have been approved and appointed by the Lieutenant Governor in Council and where the league fails to nominate members, the Lieutenant Governor in Council may appoint the members.

"(6) A league shall file with the director, within 15 days of the end of each quarter of its fiscal year, a statement of operation with respect to its mandatory liquidity pool, a balance sheet in relation to the pool and the auditor's report, if any, and the statement shall also contain such other information as to compliance with this section and regulations as the director requires.

"(7) The Lieutenant Governor in Council may, by regulation, (a) prescribe limitations and restrictions on the investment of the assets of a mandatory liquidity pool, and authorize additional investments for the purposes of subsection 4, (b) establish a rate of interest or method of determining a rate of interest to be paid on deposits made under subsection 2 and a league shall pay to credit unions the rate of interest so established or determined on deposits made under subsection 2, (c) prescribe alternate dates for the purposes of subsection 2, and (d) exempt any credit union from the requirements of subsection 2 subject to such terms and conditions as may be set out in the regulations.

"2. Section 95 of the said act is amended by striking out '118' in the first line and inserting in lieu thereof '118b.'"

Hon. Mr. Walker further moves that section 2 of the bill be renumbered as section 3.

Mr. Bradley: Speaking very briefly to the amendment, Mr. Chairman, we in the official opposition will be supporting it. We have had the opportunity now to review it over the evening; we did have most of this amendment available to us last night. I have asked for any input from members of my caucus, who are no doubt hearing from the credit unions and caisses populaires across Ontario.

We feel that the amendment does make sense. We feel, once again, that we are protecting the very people who have brought these problems to the attention of the government, and we are maintaining confidence in the credit union and caisse populaire system in this province. We see no real problem with this amendment, and we will be supporting it.

Mr. Swart: Mr. Chairman, we too in this party will be unanimously supporting the rather large and comprehensive amendment before us. I want to say, though, that we do it with a bit of

anxiety, not so much about the legislation but about the proceedings that have brought us to this point and some of the timing in this amendment.

We are aware that this is a replacement for the decision that was made on November 7. A tentative decision was made then that would have requested each credit union to deposit six per cent of its assets with the Ontario Credit Union League, which would pay a low interest rate, 10 per cent, because it was receiving low interest rates on long-term loans, particularly with Ontario Hydro. In a sense, they are giving up that, which of course required no legislation, for the amendment we have before us, which will require that credit unions deposit, as I understand it, 10 per cent of their assets in this mandatory liquidity pool of the credit union league.

Through that method, even though the difference will be substantially higher in what they will be paying the credit unions for the money deposited with them, there will be more funds there and therefore they will perhaps receive as much revenue. I am not sure whether that has been worked out, but at least it will be satisfactory to the credit union league, and they are supporting this.

Our first concern is that it is mandatory, whereas it was voluntary before. This will require all credit unions to deposit 10 per cent. Granted, under the other section of the act, they will not then have to have this 10 per cent deposit, which most of them have deposited now in various banks and other financial institutions. There is also a limitation on that in their own area; this will be pooled centrally and, therefore, it will obviously be more available for the need of the credit union league.

We have two or three minutes yet, Mr. Chairman.

Mr. Chairman: The government House leader has a couple of motions he wants to propose.

Mr. Swart: Perhaps you would like me to move the adjournment of the debate and I could pursue this further at eight o'clock.

Mr. Chairman: If you have other comments, we will just call on you when we come back in committee of the whole House.

Mr. Swart: Yes, I would expect that would be the case. Do you want me then to move the adjournment of the debate?

Mr. Chairman: No. That is not necessary.

On motion by Hon. Mr. Wells, the committee of whole House reported progress.

Hon. Mr. Wells: Mr. Speaker, with the consent of the House, I would like to ask you if we could revert back to "motions."

Mr. Speaker: Do we have the consent of the House to revert?

Agreed to.

MOTIONS

COMMITTEE SITTINGS

Hon. Mr. Wells moved that the standing committee on regulations and other statutory instruments be authorized to sit tonight, Tuesday, December 15, 1981.

Motion agreed to.

Hon. Mr. Wells moved that the standing committee on social development be authorized to sit tomorrow morning, Wednesday, December 16, 1981.

Motion agreed to.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, the House tonight will consider the remaining committee of the whole debate on Bill 151. We will also be doing the supplementary estimates for the Office of the Assembly and the Ombudsman and then concurrences as listed on the Order Paper.

The House recessed at 6:01 p.m.

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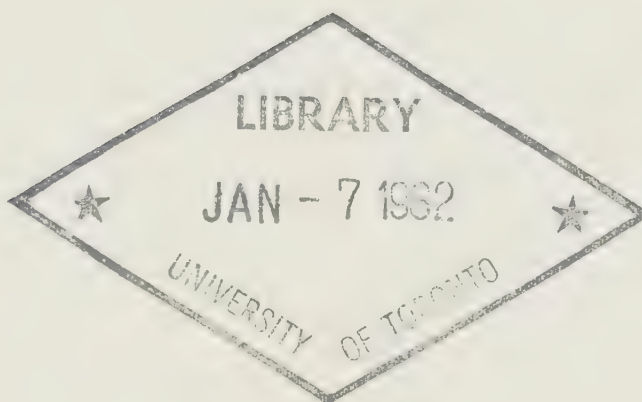
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No. 131

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Tuesday, December 15, 1981

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Tuesday, December 15, 1981

The House resumed at 8:03 p.m.

House in committee of the whole.

CREDIT UNIONS AND CAISSES POPULAIRES AMENDMENT ACT (continued)

Resuming the adjourned consideration of Bill 151, An Act to amend the Credit Unions and Caisses Populaires Act.

Mr. Swart: Mr. Chairman, when we adjourned for dinner I was just expressing some concerns we have about this amendment, although I made it clear that we in this party will be supporting it. One of those is the mandatory requirement for all credit unions who are members of a league to deposit 10 per cent of their assets with the league.

We also have some concerns there appears to be a retroactivity feature in this bill. It is going to be retroactive to July 1981, unless another date when it will apply is named by the regulation. This means there could be some credit unions that are not now members of a league, that would have to deposit 10 per cent of their assets with the league. These matters, I guess, concern us a bit because of the haste with which this bill has come before this Legislature and is being dealt with by this Legislature.

Normally, a bill of this importance would probably go out to a committee where the individual credit unions would have the right to express their views. I realize, of course, this has been recommended unanimously by the task force of 11 members. I believe it is also being recommended by the board of directors of the Ontario Credit Union League which I understand has 18 or so members. That represents a pretty responsible sector of the credit union movement.

For this reason we will go along with this bill though normally in something of this nature, whether it is with credit unions, unions generally or any democratic organization, anything of this magnitude usually goes before a membership convention and is dealt with there. Recognizing the urgency of it and having to weigh that in balance we are going to support it.

One of the main provisions of the amendment is there must be a plan submitted to the director, who is a government director of credit unions,

for his approval and that plan must be followed. That is appropriate. We would like to know what might be in that plan, how long the credit unions would have to make their 10 per cent deposits with the credit union league, what might be some of the terms upon which the pool would be made available to the local credit unions and some of those important items.

Perhaps the minister might give some commitment when he is replying that the plan would at least be tabled in the Legislature so all of us who have concerns with this would be able to see the terms and make some input if, for some reason, we thought they were inappropriate or were not carrying out the best interests of the credit unions.

I would say in some ways we have concerns about the bill, but I recognize we have to find the balance between meeting a very real need which exists at the present time and the perhaps fuller democratic process we would like to see in this Legislature in dealing with the bill and what has led up to this bill before us.

I recognize there could be the need for almost instant action. Therefore I would like to commend the officers of the credit union league and the task force for coming up within about five weeks with a fairly comprehensive and what appears to be a sensible plan, even though we may have some reservations about the speed with which it was enacted.

I conclude by saying that extraordinary circumstances sometimes require extraordinary measures. This perhaps is one of those times. I wanted to put those thoughts and concerns on record but, on balance, considering all factors concerned, this bill is desirable, will meet a need and you will have the support of this party on it.

Hon. Mr. Walker: Mr. Chairman, the section I moved earlier is substantial and members have had an opportunity to read it over. When the task force came forward to us and recommended that a mandatory liquidity pool be brought in we said to them it would be necessary to have support from within the movement itself in a demonstrated way. The members of the task force responded very well to that request and provided substantial support.

8:10 p.m.

It was only last Thursday when official word was given in writing by us to the task force, the matter having cleared cabinet earlier on Wednesday. The cabinet's views and directives were drafted into concrete form and submitted to the task force on Thursday, but in the period of time from Thursday on the task force were able to contact many of their members and obtain absolutely clear, unequivocal support.

I had made a requirement that 80 per cent be submitted to me before I would be prepared to proceed with the bill. Indeed, the task force exceeded the 80 per cent figure and submitted letters and telegrams to me, all of which have been dated in the last five days. Here is a part of them:

Of the some 840 members of the Credit Union Central of Ontario, the 100 largest ones were contacted. They have support from 89 of the largest ones who are saying yes. Even those who were not prepared to say yes did not give an unqualified no. There were only a few that gave a no.

I think it is fair to say we are treading a bit on the general autonomy of the organizations, but by the same token I think it is in the interests of the majority that the movement be preserved. It is very clear that in spite of these at times perhaps Draconian approaches the movement itself was prepared to say it supported that. It sent in letters and I will read just one. It is from the Niagara Credit Union Limited and is addressed to Mr. Buddle. It says:

"Dear sir: The board of directors of the Niagara Credit Union Limited is in favour of the legislative mandatory liquidity pool equal to 10 per cent of the credit union's shared capital and deposits," et cetera.

The Stelco Employees' Credit Union Limited writes, "To help meet immediate and long-term movement liquidity requirements this confirms that Stelco Employees' Primary Works Credit Union Limited supports universal liquidity pooling by Ontario credit unions on the basis that," and it sets out a variety of views.

Then there is the Hamilton Wentworth Credit Union Limited, the Auto Workers Oshawa Credit Union Limited, and so on. The list is replete with support. We are satisfied that on the urging of the special task force, and in light of the fact that was a grass roots movement set up to preserve the movement and to continue its direction in an autonomous yet at the same time profitable way, we were by ascribing ourselves to their wishes prepared to indicate our support

as well for the credit union movement. That is in effect what we have done. This is the key section that transmits that support in a very direct and tangible way to the member unions.

The fact is that 87 or 89 per cent of the largest 100 which represent 80 per cent of the assets, plus a smattering of the small ones, support it. They could not have contacted 800 of the smaller ones, of course, but they contacted a random sampling of something like 31, and all 31 indicated total support for the move that was afoot. We felt we were on sound ground doing it.

We recognize we might be tampering or treading a bit with some of the autonomy of some of the groups. We feel that greater good is being served by the movement being preserved. That is what you are seeing exuded in tonight's bill and in the amendments I have just now put forward.

The Deputy Chairman: Is there any further participation in the debate on the amendments proposed by Mr. Walker to Bill 151?

Motion agreed to.

Hon. Mr. Walker: Mr. Chairman, that also included section 3 because there was a renumbering process in the last clause on the last page.

In addition to that I have a subsequent motion that fits into place here. These numbers will become sections 4 and 5 of the bill:

I move that the bill be amended by adding thereto the following sections:

"4. Section 101 of the said act is amended by adding thereto the following clause: (d)—

Mr. Swart: Mr. Chairman, on a point of order: Can we deal with the section 3 amendment first?

The Deputy Chairman: I was looking for that.

Hon. Mr. Walker: I am sorry. I know what the member for Welland-Thorold is saying. He wishes an amendment on his section 3. The section 3 you have in front of you that you are thinking of is not the section 3 that is being referred to by me at the moment. Because of the renumbering process found on page three of the amendment I submitted to you and read at length earlier tonight, you will find on page three the words, "And I further move that section 2 of the bill be renumbered as section 3." His amendment should come immediately after the one I am about to read.

The Deputy Chairman: That is agreed. Do you have a copy of the amendment? Has it been circulated?

Hon. Mr. Walker: Yes, this is a shorter amendment found on one page and it says sections 4 and 5 on it. Those amendments were distributed prior to the dinner hour, about 4:30, so members will have them.

The Deputy Chairman: Hon. Mr. Walker moves that Bill 151 be amended by adding thereto the following sections:

"4. Section 101 of the said act is amended by adding thereto the following clause: (d) to provide, in its discretion, financial assistance for the purpose of assisting any league in its continued operation or in the orderly liquidation of its operations.

"5. Section 102 of the said act is amended by adding thereto the following subsection: (2) For the purposes of subsection (1), 'credit union' includes a league."

Hon. Mr. Walker further moves that sections 3 to 5 of the bill be renumbered accordingly.

Mr. Swart: We in this party support this amendment to the bill as well. It does give a little broader power, which we think is desirable and therefore we will be supporting this.

Motion agreed to.

Hon. Mr. Walker: Now I believe it would be proper to proceed to what is numbered before you in Bill 151 as section 2 which because of our renumbering will revert to about section 5 or 4 or 6 or 7.

The Deputy Chairman: As we are looking at the printed word—are you correct in saying that section 2 is section 5 by your amendment? I thought it was section 3.

Hon. Mr. Walker: It reads "section 3"; how, I do not know.

The Deputy Chairman: Any discussion on section 3?

Mr. Boudria: Just for clarification, Mr. Chairman. That is not section 3 as now printed, is it?

Hon. Mr. Walker: No, it is section 2.

Mr. Boudria: No amendment to that one, Mr. Chairman.

The Deputy Chairman: No amendments? Shall the motion carry?

Motion agreed to.

The Deputy Chairman: Now we move to section 3 as printed, which is now really section 4.

Mr. Boudria: I would like to move an amendment to section 3.

The Deputy Chairman: There is one here by the minister. If you would like to have his first, it might help make yours.

Mr. Boudria: Yes.

The Deputy Chairman: Hon. Mr. Walker moves that clause 118a(1)(b) of the act as set out in section 3 of Bill 151 as printed be amended by inserting after the word "union" in the first line the following words, "or league."

8:20 p.m.

Mr. Swart: I would like to put on record our support of this too. The purpose of this section is to guarantee the payment of any loans, or parts thereof, together with the interest to credit unions. This provides that the authority will also be granted to make these guarantees to the Ontario Credit Union League as well, and that has to be our purpose here tonight. This party will support a slight amendment.

The Deputy Chairman: Is there any comment on section 3 as printed? Section 4 is withdrawn.

Mr. Bradley: I will go through the formality of indicating, as I did not last time, the support of our party for that minor amendment.

Motion agreed to.

The Deputy Chairman: Mr. Boudria moves that section 3 118(b)(1) as printed be struck out and the following substituted therefor:

"(1) Where in the opinion of the Lieutenant Governor in Council the affairs of the league are not in satisfactory financial condition, or that the operations of the league are not being conducted in accordance with sound business and financial practices, the Lieutenant Governor in Council shall deliver to that league a notice of intention of the corporation to take possession of the property of that league.

"(2) Within three days of the receipt of the notice of intention under (1), the league may notify the Lieutenant Governor in Council that it wishes to make submissions on its behalf concerning the intention of the corporation to take possession of its property.

"(3) Submissions by or on behalf of the league may be written or oral and shall be made within 10 days of the date of receipt by it of the notice of intention in accordance with regulations.

"(4) Within three days of the hearing of the submissions of the league, the Lieutenant Governor in Council may, by order, direct (a) the league to take such remedial measures as in the circumstances are deemed appropriate and on such terms as in the circumstances are deemed appropriate or (b) the corporation or such other

persons as may be named in the order to take possession of the property of the league and on such terms as in the circumstances are deemed appropriate."

Mr. Boudria further moves that subsection 118(b)(2) as printed be renumbered as 118(b)(5) and that the said subsection be amended by striking out subsection (1) in the first line and inserting in lieu thereof, clause (4)(b).

Mr. Boudria: Mr. Chairman, the purpose of this amendment is the following: I have had representation from the Fédération des Caisses Populaires de l'Ontario through its president, and the federation is quite concerned it would have no appeal mechanism if the decisions of this bill are initiated by the government. In fact, what the Fédération des Caisses Populaires de l'Ontario wants—

Mr. Piché: It sounds like a baby-sitting clause.

The Deputy Chairman: The member for Prescott-Russell has the floor.

Mr. Boudria: Thank you very much.

What the federation is after in this case is some sort of appeal mechanism. Granted this appeal mechanism will lengthen the number of days in which the government can take action. There is no magic to the number of days that I suggested in my amendment. If the minister thinks, for instance, the three days I have in there should be changed to two days, that is all right. The three days I have in there is just a convenient number I arrived at in consultation with the president of the Fédération des Caisses Populaires de l'Ontario. They are not really attached to any of those numbers of days. They would be willing to shorten it in case the minister is concerned swifter action may be necessary than what would be provided in this amendment. The minister will recognize this is a maximum number of days we are talking about here.

The member for Welland-Thorold was saying the other day this may slow the process by 16 days. That would be a maximum of 16 days under this amendment. We realize if within the first three days the league does not make any representation the whole situation is over at that point. Potentially it may only reduce the number of days by three and not 16. Sixteen would be the maximum if neither government nor credit unions co-operated. It is not necessarily that long.

If the government wants to shorten that number of days, I would have no objection. I do feel strongly, and the caisses populaires do as

well, that they would like to have some mechanism by which they can ask why they are being taken over. They do not appear to have that under the present legislation.

Mr. Swart: Mr. Chairman, we took a look at this section when we were going over the bill in some detail and wondered if we should move an amendment to section 118b. It states, "... the Lieutenant Governor in Council, without holding a hearing, may, by order, direct the corporation or such other person as may be named in the order to take possession of the property of the league." This gives quite an autocratic authority to the government of this province.

We have not moved an amendment. As I already stated, there are other parts of the bill and other parts of the first amendment which we passed tonight about which we have some rather serious reservations in regard to the procedures, the timing and so on. But I said with regard to that amendment, and I say it now, it seems to me this is a package that is put before us to deal with something of an emergency.

That emergency could require action within a day or two as we know from the situation which took place in Quebec. The likelihood is that if any government, even a Conservative government, moved to take over the credit union league, the situation at that time would probably be extremely serious—otherwise it would not be moving. Action would be required immediately. Whether it was 16 or eight days it might be long enough to prevent the quick action required.

Because we have subordinated quite a number of normal democratic procedures for emergency purposes we have to go along with the full package. Therefore we support 118b as it is written in the bill.

I commend the member for Prescott-Russell (Mr. Boudria) in introducing this. He obviously wants to soften this arbitrary procedure but the very fact it will be softened may mean it will not be effective. For that reason, this party will be voting against this amendment.

Hon. Mr. Walker: I thank the member for Prescott-Russell for providing me with advance information about his proposed amendment. This has given us an opportunity to reflect upon it. We did so seriously and concluded that to accept it would build into the system an impossible delay that could destroy a league or a whole credit union movement.

I appreciate he is flexible on the times built in and is prepared to back off eight days, seven

days, five days or whatever, but even bringing it down to as few as 48 hours could spell disaster for some.

May I remind members, and I think the member for Welland-Thorold touched on this to some extent, in Quebec in a three-day period something like \$151 million was depleted from the system. It practically put the movement flat on its back in a short period of time.

It is extremely important to avoid runs on credit unions, as it is with all the financial institutions such as the banking system. Credit unions operate like banking institutions in many of their functions. It is important to avoid a run on them.

I respect the member for the rather substantial amendment he has submitted, that within three days of the receipt of notice of intention under subsection 1 a league could notify the Lieutenant Governor in Council that it wished to make submissions.

The cabinet, being the Lieutenant Governor in Council, would make a decision to move in under only the most Draconian of situations. It is envisaged that if the guarantee mentioned in section 118a immediately above the one he has attempted to amend were called on, and if it were necessary to start doling out money to avert a crisis caused by a run of credit unions against a league or a run of people against credit unions, to have to go through a 16-day process where notification would have to be given could not possibly function.

We have to be able to move with lightning speed. Even the fact that cabinet is not always available is an impediment that is sometimes difficult to overcome. At least it would be easier to convene than have to wait for 16 days until the next gathering.

Mr. Bradley: Especially on Friday morning.

Hon. Mr. Walker: That is right. On Friday morning it might be difficult to get a corporal's guard. On the other hand, through the process of walk-around cabinet submissions, as we have done on occasion for emergency cases, one would see that we could move quickly to avert a crisis.

Cabinet is always open to a submission. Even if we were to pass a regulation, cabinet would be open to appeal. There likely would be little damage done if the appeal were successful. But the very fact that we might take a step, that through a regulation we might take over the direction of a league, would be a signal to the world that something was happening. To give

out that signal without the effective closure that it would provide in terms of withdrawals and receipts provides us with a problem.

Section 118b(2)(a)(ii) says it would have "the power to suspend or restrict the withdrawal of amounts deposited with the league, where, in the opinion of the corporation or other person, the withdrawal would not be in the best interests of the league."

That power would effectively be emasculated by this submission. I appreciate the fact the member has submitted it and the interest with which caisses populaires have put forward their view. I recognize what they are saying, but in a case like this it calls for executorial action immediately. We simply cannot wait. We could not even wait for the mails to deliver a notice.

Mr. Boudria: I would like to say to the minister that we will be in favour of the legislation with or without that amendment. He has known that all along. The only purpose of this amendment was to satisfy the concern the caisses populaires have about having no appeal mechanism and no forewarning of any kind that the government would actually come in and take over. They are worried because it is unprecedented anywhere else that anyone would act so quickly.

I appreciate what the minister is saying, which is that once he has notified the league it is in trouble, that may in itself encourage a run. Within those three days there may be nothing left by the time he does take over. I appreciate that position, the notification of the board of directors of a caisse populaire or of the league is not necessarily public notification and generally what he states to one of those organizations does not make front page news.

I appreciate what has happened in Quebec, but I feel the passing of the legislation that we want now will restore confidence in credit unions and caisses populaires and therefore the mere passing of this legislation will decrease the chances of such runs ever happening again.

The amendment we are proposing as a party would be of some merit. It would certainly satisfy the concerns of those caisses populaires. But as I said, even without that amendment we will still be in favour of this legislation.

The Deputy Chairman: All those in favour of Mr. Boudria's amendment will please say "aye."
All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: We have another amendment. Mr. Swart moves that the bill be amended by adding thereto the following sections:

"3(a) On the first day of January 1985 section 100 of the said act as re-enacted by section 2 of this act is repealed and the following substituted therefore:

"The members of the board of directors shall hold office for a term of three years commencing on the date on which they are appointed and thereafter until their successors are appointed and any casual vacancy occurring shall be filled in accordance with section 97 for the balance of the term of the director whose office became vacant.

"3(b) On the first day of January 1985 sections 118(a) and 118(b) of the said act as enacted by section 3 of this act are repealed."

Mr. Swart: I think the intent of this amendment is obvious, Mr. Chairman. It provides a sunset clause so that the emergency provisions, the three of them that are incorporated in this act, will expire at the end of 1985. We are aware that those three emergency provisions in this bill, which is the whole purpose of the bill, are:

(1) to replace any members of the Ontario Share and Deposit Insurance Corporation at will by the government to take over the management of OSDIC; (2) the Ontario government under this emergency legislation is guaranteeing loans of the corporation and of the credit unions and will pay interest which they owe; and (3) provision is made for the takeover of the credit union league without any appeal.

I think we all recognize that this bill which we have before us is to deal with an emergency. The haste with which we are dealing with it here is because there is the possibility of an emergency now. The reason all sides of the House have supported this bill is because we recognize there is a possibility that emergency could be on us soon and we must have adequate legislation in place to deal with it; as arbitrary and as authoritative as it is, we need to have that in place.

The amendments which I move here really have nothing to do with any haste or any emergency. In fact, it is the reverse. It just means that these emergency measures can expire when there is no emergency confronting us or no likelihood of such an emergency.

8:40 p.m.

It is not unfair to say that in a democracy all of us abhor, at least to some extent, the power of government to take over democratic institu-

tions immediately, authoritatively and arbitrarily. No institutions are more democratic, more thoroughly and ably run by their membership or have such a broad base of membership as the credit unions in this province.

If we do not provide a sunset clause, the bill we are passing tonight will leave on the books indefinitely that the government has the power to intervene as it sees fit and to take over the operations of the credit union league and the Ontario Share and Deposit Insurance Corporation. That seems to me to be contrary to the principles of democracy we all hold dear. Therefore, this is a simple amendment. The government of this province has been talking for some time about sunset clauses in various bills.

Mr. Wildman: It was this minister's idea.

Mr. Swart: I was just going to say that. This minister has been a promoter of sunset clauses. This seems to be an appropriate application for a sunset clause. If conditions exist in 1985 that would indicate these emergency measures should still be on the books, I am sure the minister is aware that the people on this side of the House would be supporting him on a bill to extend these provisions for the sake of the credit union movement. But if they are not necessary, then I suggest we should not have them on the books. They can be re-enacted at any time.

It is probably true to say we have never had this kind of legislation in this province before to deal with the credit union-caisse populaire movement. For all these decades, almost a century of existence, they have been able to carry on without this—I was going to use the word "threat" but that is not fair—this kind of authoritative and extreme measure being in legislation in this province.

We have gone along with the measures in this bill. I think the bill is necessary at this time. I commend all those concerned for bringing it before us and for the rapid changes that were made in the bill even as late as today. Some additional changes were made to try to improve it and it seems to be a good bill now. But we should not continue this type of legislation indefinitely in a free society.

Therefore, I would respectfully suggest to the minister that he support this sunset clause. If it is needed at some future time, he will get the support of the Legislature, or whatever party is in power, to enact another bill similar to this one. When there are the hundreds of thousands of members in this province, any government will bring in this kind of legislation again, if

necessary. But let us not leave it on the books indefinitely as if we were saying to the credit union-caisse populaire movement in this province, "At no time are you able to totally handle your own affairs and, therefore, we are going to keep this kind of authoritative legislation on the books of this province."

I conclude by saying I hope the minister will look favourably on this provision. I have had some discussion with some senior people in the credit union league on this. Two of them felt this was a desirable measure to have in the bill.

Mr. MacDonald: Mr. Chairman, before the minister gets up, one comment we have heard so many times down through the years in this Legislature is a sort of—and I choose my words carefully—mindless inflexibility with regard to accepting amendments from the opposition. I hope the minister is going to respond in this instance; in responding and being flexible, he is only going to live up to what he has been championing and preaching, namely, to have sunset clauses.

If we really believe this is emergency legislation—and we regret the authoritarian nature of it, the undemocratic nature of it, the precipitous way in which we have had to do it—this is one way to protect ourselves and to indicate we really meant that when we said it. I will listen with great interest to what the minister's response is.

Hon. Mr. Walker: Mr. Chairman, normally I am a very great supporter of the sunset clause concept. However, one could argue here that it could present a number of problems. I think members are well aware of the kind of difficulties that could be created with the sunset clause. It could present real problems along the way and some difficulties. It may even require wholesale review along the way, and new legislation might have to be brought in, when, in fact, it might otherwise not have been.

In this particular case, the proposal would implement a sunset clause that would cover appointments to the Ontario Share and Deposit Insurance Corporation, a sunset to the guarantee provisions, and a sunset to the takeover concept.

It is interesting that the member would remember my own involvement in sunset. I rather think—

Mr. Bradley: How could we forget?

Hon. Mr. Walker: I try not to let people forget it. It goes back—in fact, I ran on it in 1977.

Mr. MacDonald: You did not mean it. Was that another broken promise?

Hon. Mr. Walker: No. That was a campaign plank in 1977, and I brought in a private bill to create the sunset law long before it ever became a word in vogue. As we described the sunset bill at the time, we had to explain it because no one had ever heard of the definition. Today the word is used and no one even has to apply a definition to it. It is a word that—

Mr. Bradley: You stole it from the United States. It did not originate from you.

Hon. Mr. Walker: I am not suggesting I am the original creator here. I discovered it in use in the state of Colorado and imported it for use here. I thought it was a particularly good policy.

Mr. Kerrio: I always connected it with Stuart Smith's bill.

Hon. Mr. Walker: Actually the Leader of the Opposition jumped on a leading cause at that time, and I happened to be in the cause and he—

Mr. Chairman: Speaking of jumping, jumping on to Bill 151.

Hon. Mr. Walker: Now back to the Chairman's suggestion.

The people who have the biggest involvement with sunset are the MPPs themselves, because they have a sunset applied to them every four years whether they want it or not.

Mr. Kerrio: Every two years so far.

Mr. Bradley: And 1975 was a vintage year.

Hon. Mr. Walker: Yes, well sometimes it has been sooner than others. Does the member know where the sunset came from in Canada? The Boer War commission in 1960 was found to have more members on the commission than there were people who had served in the Boer War. They decided then and there that they had to have a sunset clause to stop some of these agencies, boards and commissions.

However, it is interesting that the member has made a very strong pitch for the concept of sun-set. However, I have had a chance to review the proposal he has submitted here. I read it over in some detail and, yes, we are prepared to accept it.

Mr. Chairman: That means the member for Welland-Thorold has moved an amendment to Bill 151 which, I believe, will be now an amendment to the new section 4.

Hon. Mr. Walker: Mr. Chairman, in accepting this, I do have one correction that has to be made. Technically speaking, the renumbering is all fouled up. May I suggest, to the extent that it has to be numbered through here, that that aspect of it only be delegated to the legislative

counsel to figure out where the numbers jibe? There are some problems created by earlier amendments tonight, and by the existing bill.

Mr. Chairman: Is that agreed? We all have the understanding? Those in favour of Mr. Swart's amendment to section 4 will please say "aye."

Those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Mr. Chairman: It is my understanding that concludes this bill. Will the preamble carry? Carried.

Bill 151, as amended, reported.

On motion by Hon. Mr. Wells, the committee of the whole House reported one bill with amendments.

House in committee of supply.

SUPPLEMENTARY ESTIMATES, OFFICE OF THE ASSEMBLY

Vote 1001 agreed to.

SUPPLEMENTARY ESTIMATES, OFFICE OF THE OMBUDSMAN

Vote 1201 agreed to.

On motion by Hon. Mr. Wells, the committee of supply reported certain resolutions.

Clerk of the House: Mr. Cureatz from the committee of supply reports the following resolution:

That supply in the following supplementary amounts and to defray the expenses of the government ministries named be granted to Her Majesty for the fiscal year ending March 31, 1982.

Reading dispensed with. (See Votes and Proceedings).

Motion agreed to

CONCURRENCE IN SUPPLY

Resolutions for supply for the following offices were concurred in by the House:

Office of the Assembly.

Office of the Ombudsman.

Office of the Provincial Auditor.

CONCURRENCE IN SUPPLY, MINISTRY OF EDUCATION

Mr. Grande: Mr. Speaker, I am going to be brief in the few minutes that I am going to be speaking with the Minister of Education here tonight, through you of course.

One of the things that has come up since the

estimates of the Ministry of Education have been dealt with in committee is the final report of the secondary education review project. I said it before to the minister, and I feel it is incumbent upon me to repeat it, that when she takes a look at this report, if she has not done it already, when she will be coming down with what she considers will be acceptable in this report—I believe some time in the new year, as the minister put it—she will receive certain assurances from the universities.

By the way, it seems that in the new year, in January, at a time when this assembly will not be in session, the Minister of Education is going to be bringing in this report, she is going to be bringing in a report on the future role of universities. She is going to be bringing in recommendations on the polytechnic report and on continuing education, the third system. It appears to me that the month of January is going to be education month around the city of Toronto.

I am wondering why it is that that particular month is chosen above all the others. I am wondering why it is that the ministry or the minister does not want this Parliament to be in session, so she would then be responsible for the kind of decisions, supposedly, that particular ministry or the Ministry of Colleges and Universities will be making. However, be that as it may, I guess the critics will have to find other avenues to respond, because the ministry at that time is really not interested in any response from the critics through this Legislature.

I want to say to the minister, and I think she will concur with me, that if the recommendation to abolish grade 13 is accepted by the government we would want clear assurances that the universities would not move to four years in terms of the general bachelor of arts degree, which requires only three years at this time, because the students are going to be asked to pay tuition fees for an extra year at university.

I would want the minister, while she makes up her mind about what to accept in this report, to keep that in mind as well, with the full understanding that the universities are autonomous bodies and they can make their own decisions. None the less, I would hope the minister would ascertain from the universities that they are not going to have a four-year BA in Ontario after this report, if the minister accepts one of its recommendations.

The second thing in this is the compression of five years of secondary school into four. In effect, what will that do? I guess the teachers'

federations and many other groups across this province have told both the author of this report, Dr. Green, and the Minister of Education that what this move will do is put a tremendous pressure upon the work load of students in the secondary school system.

The minister knows that the *crème de la crème*, the cream of the crop, will do well regardless of schooling, but the students who are in the general courses are the students right now of which approximately 66 per cent to 70 per cent drop out before they graduate.

9 p.m.

In other words, of those students who start grade nine in the secondary school system, by the end of grade 13, 70 per cent of them will have dropped out of the system. In effect, by compressing the five years into four, what the minister and the ministry would do is increase that percentage from 70 per cent to probably 85 or 90 per cent.

As far as the ministry is concerned, that could be well in terms of the fact that our post-graduate institutions have a lot of students. That is probably going to be the sieve by which a lot of students in this province will have their education interrupted before they have an opportunity to go into post-secondary education.

I want the Minister of Education to keep in mind those two aspects of this report and, when she makes her decision, to respond at least to those two concerns that I, the Ontario Teachers' Federation, the Ontario Secondary School Teachers' Federation and other teachers' bodies have in this province.

I also want to say briefly to the minister that the consultation process with teachers in this province has been lacking in the past couple of years. As a matter of fact, at the beginning of this session we heard from the member for Kitchener-Wilmot (Mr. Sweeney), who got up and asked the Premier (Mr. Davis) for her resignation, because in late August the teachers condemned the minister for her lack of consultation in educational matters.

What kind of consultation did she and the ministry not involve themselves in? Finally, I found one particular aspect. There is a regulation called 714, which sometimes in—

Hon. Miss Stephenson: It is 704. For heaven's sake, learn the right number.

Mr. Grande: Is it 704? I do not have it in front of me.

Mr. Wildman: My, you are touchy.

Hon. Miss Stephenson: If he is going to complain, he should complain about the right thing.

Mr. Grande: The Minister of Education is always touchy when anybody begins to criticize what happens in her portfolio.

Hon. Miss Stephenson: I just wanted you to get the right numbers.

Mr. Grande: That is correct. It is regulation 704, which by September had changed to regulation 603. Am I correct on that one?

Hon. Miss Stephenson: No; it's 612.

Mr. Grande: One thing in that regulation is that there has been a lengthening of the school day by about half an hour. That may or may not be of concern yet, because it will not come into effect until September 1982. As far as I know, the teachers and the federations at this time are not yet clear on that. Perhaps within the coming months the minister will hear from those bodies.

But one of the things that concerns me tremendously is that, in the change of that regulation, the minister has wiped out recess in all elementary schools of this province.

Hon. Miss Stephenson: You are so wrong.

Mr. Grande: Why does the minister not take that regulation and find out? In the previous regulation 704, as she puts it, one of the processes of that regulation was that "there shall be a morning and afternoon recess." In regulation 603, that clause disappears and the phrase is that "there shall be five hours of instructional time, excluding recess." Is that right?

Hon. Miss Stephenson: Yes.

Mr. Grande: If the minister excludes recess and does not put in the clause that "there shall be a recess," what is she in effect doing? The minister should not get upset when I say these things, because I understand that her ministry right now is attempting to change this regulation yet again to include recess. The fact is, within a month's time, that regulation will be adjusted so recess will be there. Perhaps one of the things she will do will be to say that "there shall be five instructional hours, including recess." That may very well be the change that is required.

However, I just gave that as a demonstration of the lack of consultation that has been going on by this minister and to show why the teachers' federations, from the Ontario Teachers' Federation to the local federations, are becoming increasingly upset with this minister.

Of course, the minister is sometimes willing to change her ways. Bill 164 was introduced into

this House, as the minister put it, with house-keeping measures to change the Education Act. That bill was held over to the spring session, which means the teachers and the school boards wanted to have some time to take a look at those changes and the effects they would have.

The minister often accuses me of not being informed, but I suggest to her with respect right now that she is not informed. She does not know that the Association of Large School Boards of Ontario has said to her in a letter, "Do not consider this legislation before our member boards have responded to that particular—"

Hon. Miss Stephenson: We were not talking about that legislation.

Mr. Grande: I was talking about that legislation.

Hon. Miss Stephenson: Well, they were not.

Mr. Grande: Be that as it may, that legislation did not come into this Legislature for discussion on second reading.

I want to spend a few minutes on a couple of the programs that are very close to me. The minister, the other day, when I got up to ask a question in this Legislature regarding the heritage language program, as is her customary habit, got very upset and said there was no cutback.

I want the Minister of Education to respond to the Metropolitan Toronto School Board—not to me, but to the Metropolitan Toronto School Board, to the six boards of education that comprise that body. I want to read what the board said in effect on November 12, 1981; it was a report that the trustees in February had asked the bureaucrats of that board to bring in, in terms of the funding the heritage language program is receiving from this ministry.

9:10 p.m.

I am going to quote the whole letter right now so that we will have it on record and so that the minister will take a look at it and do something about it. It is dated November 12, 1981, and it says:

"To the chairman and members of the Metropolitan Toronto School Board.

"Part 2, Heritage Language Programs: At its special meeting on April 14, 1981, the school board adopted a resolution that 'the actual costs incurred by those area boards providing heritage language programs' be documented and reported.

"At the meeting of the standing committee of the school board on November 10, 1981, staff was requested to report at the next meeting of

the school board on the relative cost of the grants generated by heritage language programs.

"The following is a comparison of the sums generated in 1980 by the heritage language formula, the actual expenditures in 1980 as reported by the area boards, and the actual provincial grants generated in 1980 by the programs.

"The 1980 formula budget: East York \$80,850, North York \$369,600, Toronto \$756,525, York \$242,550, for a total of \$1,449,525.

"1980 actual expenditure:—" I will not read all those numbers about the area boards, but the grand total is \$1,371,982.

"The 1980 actual grants from the Ministry of Education: \$1,186,191."

Continuing: "Analysis of the above data indicates the heritage language formula budget of the school board generated \$77,543 or 5.35 per cent more than the actual expenditures made by the area boards on these specific programs.

"Further," and this is important, "it can be seen that the provincial grants fell short of the formula allocation by some 18 per cent. However, when compared to the actual expenditures, the grants were worth 13.54 per cent below the total expenditures of the area boards."

This is not 100 per cent funding. The minister suggested back in 1979 that the area boards would not have to put any other funds in to provide the heritage language program, because her government was going to provide 100 per cent funding. It could not be 100 per cent funding if the Metro school board says it is 82 per cent funding and, at best, a drop of 13.54 per cent from the 100 per cent funding.

What the minister should understand and appreciate is that come this month of January or February, I do not know exactly when, the Metro board is going to be meeting and there is going to be pressure on that Metro board from North York, Scarborough, Etobicoke, and perhaps from East York, to reduce the heritage language classes by 13.54 per cent. In other words, they will want to provide as many heritage language classes as provincial funding comes to the Metro board.

The minister must move to rectify this situation. There are two ways to rectify it: One is to provide 13.5 per cent more funding to the Metro board and thereby protect the existing heritage language programs; or else the minister must explain her rationale to the Metro board as to why they should not cut back on heritage language classes in Metropolitan Toronto.

Whether the minister says my information is correct or incorrect is neither here nor there. I frankly do not care. What I do care about is that not one heritage language program should be cut off from these area boards. I will make this commitment to the minister: If that cut comes about, what she saw in 1979 in terms of the her attempted 50 per cent cutback will look like child's play.

Let me go to the other area. I have tackled enough with this minister to know that I will see either of two things happening. One is for me to say: "Why do I not forget it? Why do I not go on to something else and leave it?" This ministry and this board—I am referring again to the Metro board—do not understand what it means to have a child in a classroom who does not understand English. The child has to be taught English to be able to learn in that classroom atmosphere.

The minister knows that teachers of English as a second language in all the boards have been cut back by some 60 to 70 per cent in the past three to four years. It is a program that is on its way out. However, I can take her into any classroom in the city of Toronto or in the borough of York. She can sit there for 10 minutes with me and find out how many of those children cannot learn in that classroom because they do not have a facility or fluency in the English language.

The programs that could help those children learn English are being cut back because this ministry is an accomplice with Metro in not delivering that educational service to those children in those area boards. I have said on many occasions that the minister is an accomplice to Metro in the sense that she distributes the funds to Metro for the Metro board. It applies its antiquated formula, which has no meaning whatsoever to the problems in the classroom and thereby does not provide the teachers and services to the area boards.

The irony of it is those area boards generate the funds which are given to Metro for English as a second language and Metro does not pass on those funds to the area boards.

I would be happy if the minister would straighten out the situation with the heritage language program and say to Metro, in no uncertain terms, "Either pass on the dollars generated from this ministry or we are going to go directly to the area boards and make sure the needs of those children are being met in the area of English as a second language."

Mr. Ruston: Mr. Speaker, I would like to take a moment or two to speak on the subject of the Education estimates. It has to do with our education setup since we went to the county boards of education and so forth. We have now set up a system that I am not sure we can afford to keep going.

I realize that as wages go up at all levels, the levels have to go up for those in charge. I look at the directors of education and the superintendents of education throughout the different counties. The directors of education in most places are now making \$64,000 a year. I do not know how many directors there are in Ontario, but I know a number of them are in that bracket. The superintendents, below the directors, run around \$59,000 and assistant superintendents at \$55,000 or \$53,000 or whatever it is.

9:20 p.m.

This is getting difficult for me to swallow, seeing throughout Ontario this massive bureaucracy we have built up in the education system. We can only blame it on the present Premier who was Minister of Education at the time it started. It is of great concern to thousands of people in Ontario who have to pay the taxes and are wondering where it is going to stop.

I have no objection to the Minister of Education making what she is making as a cabinet minister. I am not questioning that at all. But I do not think every director of education should make as much as she is or more. After all, she is the top person, and she should take the top amount of money; I agree with that.

But I do not agree with the way things are now, where we have built in such a system of bureaucrats in these jobs. Some tell me that actually all we need is a secretary of the board and a treasurer and maybe a superintendent of education. I am not sure we really need much more to handle it.

I was under the impression, when the boards of education were formed as they are now, that it would decrease the number of people in the bureaucracy in Toronto. But when one looks at the public accounts and sees the number of top salaries there, I am afraid that has not decreased very much, although that was the intention of it.

I think the system we have built up now is getting out of hand. I was looking the other day at the salaries of the mayors in the United States. No mayor in the United States in that listing of all the big cities was even making as much as a director of education in the little

county of Essex. We have got into this, and somebody is going to have to put a stop to it. It is ridiculous.

Mr. Nixon: You created the monster—and you won't let women into it either.

Hon. Miss Stephenson: That is not true.

The Deputy Speaker: Wait a minute. I am back. Shall supply for the Ministry of Education be concurred in? Concurred.

Mr. Martel: Is the minister going to respond?

Hon. Miss Stephenson: I don't get a chance to, apparently.

Mr. Martel: Why not?

Hon. Miss Stephenson: Well, I just asked if I could—

Mr. Kerrio: It's passed now. It's too late.

Mr. Nixon: Do it on the next one.

The Deputy Speaker: Moving right along—

Mr. Martel: On a point of order, Mr. Speaker—

Hon. Miss Stephenson: Mr. Speaker, may I have permission to respond briefly? Much more briefly than the speakers?

Mr. Kerrio: If you keep your promise.

Hon. Miss Stephenson: I will keep my promise.

The Deputy Speaker: With the concurrence of the House.

Hon. Miss Stephenson: Vote 704 was a matter of consultation with the teachers' federation. I shall document the hundreds of hours that were spent in consultation with the teachers' federation and give that to the honourable member.

I remind the member in addition that the Education Act says students in the elementary system will have five hours of instruction a day. It had been determined that many boards were reducing the number of hours of instruction, because they were subtracting the recess periods from the hours of instruction; so the children were actually having four and a half hours a day.

We simply reminded them, with the new regulation, that the instruction was to be five hours a day. There was no intention of eliminating recess periods, for goodness' sake, but one does not usually instruct children during recess. If that has to be spelled out, I shall be delighted to spell it out for the honourable member.

As far as the heritage language program is concerned, the funding is provided on an averaging basis across the province. The average cost of providing the program is supplied to

each of the school boards for the numbers of students they have, and the cost is 100 per cent of that averaging cost.

I do not know what the Metro board has done with its report. They have not sent it to me. If they do, I shall be pleased to look at it in our determinations of next year.

The member for Essex North (Mr. Ruston) suggested that the level of remuneration for directors of education was excessive. I remind him that the body entirely responsible for that wage is the school board.

Mr. Nixon: Yes, but you set it all up.

Mr. Ruston: You set the qualifications. That is a cop-out.

Hon. Miss Stephenson: It is not a cop-out. That is a fact. The board of education in each of those situations determines without public negotiation the salary of the senior staff of that board. There are times when one does become a little discouraged at the level. I have to tell members that we become extremely discouraged, because it is impossible to attract bright, intelligent people from the system out there into the Ministry of Education, except by secondment, because we cannot afford to pay them what boards pay.

Mr. Nixon: What is the deputy paid?

Hon. Miss Stephenson: The deputy gets paid about the same as a director of education. And, on average, directors of education make much more than the Minister of Education. That is an interesting situation. I do not complain about that but, with the levels rising so rapidly, I am concerned that the ministry cannot compete. I do have concern about it. I also remind the honourable member that those boards are autonomous, and they jealously guard that autonomy.

Mr. Ruston: The system was set up by your government.

Hon. Miss Stephenson: The system was set up a long time before this government, I say to the member for Essex North. As a matter of fact, it was fostered and sponsored by the then Liberal Premier and Minister of Education in 1871, who thought it was the best system ever. Do not blame it all on any one group. It is the system that has been developed and has provided for greater equality of educational opportunity right across this province than had ever been provided before.

Mr. Nixon: And it excludes women.

Hon. Miss Stephenson: The member for Brant-Oxford-Norfolk was complaining about the fact that there are so few women as directors of education.

Mr. Nixon: Hardly any. You can count them on the fingers of one hand.

Hon. Miss Stephenson: He is right. We have two; they are both extremely good. There are some very bright young women coming up in the ranks of superintendents. One of the things I think members should know is that we removed—

Mr. Kerrio: On a point of order, Mr. Speaker: The member for Sudbury East insisted that the minister respond. I imagine it was because he wanted to hear her response. Now he is over there talking to the other gentleman, and he is not listening at all.

Hon. Miss Stephenson: If I might just resume, I shall be very brief.

This year we removed the restrictions upon applicants for the principals' course. The old routine had been that each board had to nominate or select appropriate candidates. We removed all of that and left it wide open. It is interesting that for the first time, 33 per cent of all students in the principals' course this year are women. Interesting as well, the principals of the principals' courses and the staff this year said they were the best group of students they had ever had. So I am very much encouraged that women are going to be moving upwards in the educational system in a most appropriate fashion.

Motion agreed to.

CONCURRENCE IN SUPPLY, MINISTRY OF COLLEGES AND UNIVERSITIES

Mr. Wrye: Mr. Speaker, I want to speak fairly briefly during the concurrence debate on the Ministry of Colleges and Universities. That means a little more briefly than the last speaker but not as briefly as my friend the member for Essex North.

At the outset, I want to say that this has been a disappointing fall, indeed a disturbing fall, for the people who administer Ontario's 22 community colleges, 15 universities, Ryerson Polytechnical Institute and the Ontario College of Art, for those who teach at those institutions and for those who are attending them in hopes of receiving an education that will be of the highest possible quality.

I say disappointing, because I have heard nary an encouraging word from the government

and this minister on the critical issue of the day, the question of the financial survival of these institutions. It is disturbing, because the minister has been at pains to state and restate that funding restraints have been absorbed—and I love this quotation they keep throwing out—"without serious damage to objectives." That the Minister of Colleges and Universities would really believe that rhetoric is profoundly disturbing. It shows an inability to understand just how close to the brink the system is.

Lest any person in this House not comprehend the present situation, let me simply recite the absolute deficit position of six of Ontario's universities as of April 30 of this year: Brock University, \$432,000; Carleton University, \$1,180,000; Laurentian University of Sudbury and its affiliated colleges, \$1,416,000; Trent University, \$1,112,000; York University, \$1,837,000; Ryerson Polytechnical Institute, \$1,152,000.

9:30 p.m.

The other institutions will soon be joining their confrères on this list of six. I would like to use one example in my riding, the University of Windsor. Last year it had a surplus of almost three quarters of a million dollars. Today it is in the process of wiping out that small surplus and next year, according to the chairman of the board of governors, Mr. McGivney, the deficit could be as high as \$1 million. That deficit position will not be the result of high rolling or free spending.

Earlier in the session I sent the minister a list of 75 specific effects of underfunding of the university. I would like to read some of the comments of the editorial writer of the Windsor Star on the list. In his editorial of November 24 he said:

"The particularly frightening thing about the report on the university's plight presented in the Legislature is the government's pathetic response. The only answers that Education Minister Bette Stephenson could give were that the university should rearrange its priorities and should try to get more money from its alumni. Both are insults rather than answers.

"About the only priority rearrangement left to the University of Windsor in its cost-cutting efforts is to declare bankruptcy. And like all universities, U of W has long been going all out for alumni funds. Already U of W has cut spending to the breaking point. The report to the Legislature shows economies that cannot help but demoralize faculty and students, and reduce both the scope and quality of education.

If the province has no intention of taking up the slack, it owes the universities more than warnings that tough times will continue and pious advice to try harder."

That is the point, and it is a point that was made to the minister and to this government four months ago. It was made in a document entitled Report of the Committee on the Future Role of Universities in Ontario. All fall the universities have awaited a reaction from the government to the key recommendation of the report. The report recognizes that without a sharp infusion of money for operating costs, new equipment, building renovation and building replacement our great university system is headed for ruin.

And it is not just the universities. The community colleges have for years been the victims of the same underfunding that is now crippling the university system. They have been forced to use the meat-cleaver approach to budget cutbacks. Again I could use the example of the community college in my own city of Windsor. But let me talk about the desperate attempts now under way at Humber College of Applied Arts and Technology to cut \$3.3 million from its budget. As the president, Gordon Wragg, looked about frantically for money to cut, he decided on a complete elimination of the theatre arts program at the end of this year—not gradually, but at the end of this year all at once. The students in the first two years of that program will not be able to complete their studies at Humber.

What the president of Humber College and the president of the University of Windsor have been waiting for, and what every administrator, teacher and student has been waiting for all fall, is a commitment from the ministry. On this day in December they are still waiting for the answer this government owes to them and every citizen of Ontario. What bothers me is that this government appears to have closed its fiscal options with its ill-conceived decision to purchase Suncor.

I hope the post-secondary institutions will not have to listen to this government whine about how the federal government, the students, the alumni or someone else is responsible for its next budgetary proposals if they do not begin to solve the financial problems. The fault will lie on the other side of the House with a government that will have lost its will to support what was once a great system and that will be condemning it to the mediocrity Dr. Fisher and

his committee warned about in the Report of the Committee on the Future Role of Universities in Ontario.

Finally, on a personal note, I would say a word about the priorities the Leader of the Opposition, the member for Hamilton West (Mr. Smith), would have set for this province, had he led the government after March 19. He would have responded to the crisis that besets the system. He would set as a key priority of a Liberal government the restoration of the former greatness of our university system and the rebirth of a community college system, which is increasingly unable to respond to the changes which would allow them to play their full role in the evolving Ontario of the 1980s.

Mr. Speaker, I suggest it is the outspoken criticism of the Liberal party and the dynamic leadership of the member for Hamilton West in the past few months which has forced this government to finally come to grips with the disgraceful underfunding of our whole post-secondary system. If the government finally, belatedly, at the 11th hour, reverses its field sometime next month or early in February and puts some dollars into a system that is starving for lack of money I believe history will record that while the Premier put the system into place, the Leader of the Opposition came to its rescue at its darkest hour.

The Acting Speaker: The member for St. George?

Ms. Fish: Oh no, sir, I was simply bowing as I left the chamber.

Mr. Grande: Mr. Speaker, I will once again be brief because I do not want to repeat what was said.

Hon. Miss Stephenson: "Once again brief." You weren't brief the last time.

The Acting Speaker: Order.

Mr. Grande: Fifty minutes is not such a great long time when we are dealing with education.

The Acting Speaker: Speak to the issue.

Mr. Grande: I just want to deal with a few of the matters that have come to light since the estimates were completed. I am not going to say since the estimates were dealt with in the latter part of October that there is no point in me going over the report on the future role of universities, the recommendation from the Ontario Council on University Affairs and what that council has said to this ministry continuously about the university system and the kind of straits our university system is in.

I want to talk in particular about the community colleges. Whereas the universities are having their problems for sure, the community colleges in this province are experiencing course cutbacks. There is an important thing about these course cutbacks. The critic for the Liberal Party mentioned Humber, and we can mention Sheridan College, Mohawk, Niagara, Centennial and a number of other colleges that right now have either made decisions to cut courses or are in the midst of making decisions to cut back courses.

The Minister of Education surely knows of the course that was cut by Sheridan. By some kind of magic the board of governors of that college made the decision to cut the course in heavy equipment. Two weeks later that same board reversed its decision and reinstated the course once the students learned it was going to be cut. It will not be in effect the year after, so some students who were involved in that two-year course would only receive one year of education and that is it. They will not be able to graduate or receive their diplomas.

A similar thing happened at the Humber College with the students in theatre arts, metal arts and three other courses. The students in the theatre arts were involved in a three-year program. While the students were in the first year of the three-year program the board of governors of the college made the decision to cut those courses and, in effect, will leave those students out on a limb without receiving a diploma for their courses of studies.

9:40 p.m.

I checked the Humber College calendar. What I found was that buried somewhere in that calendar there is a waiver that says it is the right of the college to cut classes. It is the right of the college, without any prior notice, to do all these disastrous things in terms of the education of students at that college.

The minister must understand that two weeks after that fight at Humber College became public those courses were once again reinstated by a decision of the board of governors. What is happening is that the students in this province, and the publicity those colleges receive as a result of these cutbacks, are able to reverse decisions at the board of governors level.

Perhaps the Council of Regents descends upon the board of governors and says: "You must reverse yourselves. There is too much pressure. We cannot take it, you cannot take it and certainly the minister and the Ministry of Colleges and Universities cannot take it."

Maybe the reason these courses were reinstated is not because of pressure at all but because the students whose education is being terminated by those decisions could have legal recourse to the courts. The students, as I found from legal opinion, could take a board of governors to court for not fulfilling its contract to the student for the two-year or three-year course, and for not fulfilling its contract by breaking into their education leading to a diploma.

Perhaps that is the reason these boards of governors seem to reverse themselves. They find out that students could take them to court and, more than likely, win. There is ample precedent for that kind of court battle.

If the underfunding that has gone on with the community colleges and universities continues for another year, the minister is going to have in the community colleges and on campuses nothing short of chaos. The minister or the ministry must be feeling that. I hope when the grants come down some time in February or March of this coming year the ministry will decide to accept the recommendations of all the major reports made in these areas for the last four to five years and will finally begin to listen. What those reports have been saying is not academic discourse at all. It is reality in the sense that the funding is cutting badly into the educational program and the education of students in this province.

One of the things that really disturbed me in the last few weeks was the decision the Council of Regents made in not allowing a check-off by the students at the community colleges to the Ontario Federation of Students. That was a normal course. University students enjoy that right and the OFS represents those students in university. Up to October 13, OFS was representing the students in the community colleges who were affiliated with the Ontario Federation of Students and the checkoffs were taking place.

But on October 13, the Council of Regents made the decision that checkoffs should no longer take place. I ask the Minister of Education why? What is the purpose? What is the reason? Does she not want the students in the community colleges to act together in terms of the cutbacks and how those cutbacks are affecting their individual colleges? Does she want them to act separately in a little area so that then theoretically she could pick them out one by one and do what she wills with them?

I hope the minister will speak to the Council

of Regents and to Norman Williams, its chairman, and say that if it can be done at the university level, students who attend the community colleges should also have the right to association. I guess it could even be compared to the right to organize, the right to unionize.

But the community college students do not have that right because the Council of Regents has taken it away from them. The answer Mr. Norman Williams, chairman of the Council of Regents, gave, and I quote from an article in the *Toronto Star* on November 17, 1981: "Theoretically the Ku Klux Klan could get hold of a student council, and the college governors would be collecting fees for them," said Williams." What kind of rubbish is this, comparing a student body at a college to the Ku Klux Klan? What kind of nonsense is this?

Does the minister not have more respect for the students who are in our community colleges and our universities than that? Does she think that 18, 19 and 20-year-old students can be led by their noses by any kooks who might be present or who might try to organize or whatever? If this is what she feels, why does she not do something about the Ku Klux Klan anyway? Why does she not act? Instead of painting the students of this province with the same brush and telling the students of this province they are not adult, they are not capable, they will be led by these people of questionable character—who in fact are criminals, as far as I am concerned.

She ought to do something about it. But she should not paint the students in our colleges with that kind of brush. I certainly hope she will speak to Norman Williams and say as much.

Let me say one last thing. In a report I received, dated November 16, which made the Minister of Colleges and Universities a bit upset when I referred to it in a supplementary in the Legislature, the presidents of the colleges got together—

Mr. Kerrio: I do not think the minister is listening.

9:50 p.m.

Mr. Grande: I think her listening skills have deteriorated. It is a bit late for her, I guess. The presidents of the community colleges got together and issued a report. A carbon copy of the report was sent to the college president, the Minister of Colleges and Universities, Deputy Minister of Colleges and Universities, the Assistant Deputy Minister of Colleges and Universities, Assistant Deputy Minister skills development, director of college affairs, and president of colleges of applied arts and technology.

The minister said, "What are you talking about?" and the presidents said, in essence, that because of the underfunding in our college system, and I quote, "In the eight years between 1973 and 1981 these increases, in terms of constant dollars, the colleges today have \$428 less per student than they did eight years ago." That is the kind of underfunding that hurts the minister to know; \$428 less than the year 1973. In essence, what these college presidents have called for, and for all I know, the Ministry of Colleges and Universities is at present involving itself in bringing in, is what they call "controlled growth in our colleges."

This means, in essence, up to this particular time—Mr. Speaker, I am talking through you to the minister. If the minister chooses not to listen, I am sure I have your ear.

The Deputy Speaker: I am listening.

Mr. Grande: Good. I am positive of that, Mr. Speaker. In a sense, what these presidents have said is, since this is the underfunding that we have to deal with, and since in our community colleges we have a policy called an "open-door policy," any student who is qualified has a place in our community colleges. That is why the community college system was set up to begin with. Now they are talking about a controlled growth. They say if we have fewer students in our schools, with the kind of funding we receive, perhaps we can manage so that the quality of education in our schools will not decline.

This is the position of college presidents. What is the position of the Minister of Colleges and Universities? She says, "I am not aware of this statement. I am not aware of this document." Well, for heaven's sakes, she should make herself aware, because we are talking about education in this province. We are talking about accessibility of education in this province. That is the kind of thing we have been proud of in the province for the last 10 or 15 years, and we are not going to allow the minister or the Ministry of Colleges and Universities or this government to destroy the accessibility to post-secondary education in this province.

One hears of all the cutbacks that take place in our community colleges and universities, then I receive a letter in the mail—it is not anonymous, by the way, but I will not give the name of the person from whom I received this letter—and with it an invitation that says: "The Board of Governors of Sheridan College of Applied Arts and Technology request the honour of your presence at a special convocation for the installation of the president, Donald Allen Shields, Thursday, November 12, 1981."

Do members know what I found out about this invitation? The staff was urged to let the students go to the convocation, to let the students off at three o'clock, and \$6,000 was spent in order to install the new president of Sheridan College. Clearly, this letter states this is the first time in the history of this province where that particular installation of a president of a community college took place where the staff were told to let the students go and the staff to participate at the convocation of the installation. Clearly the first time.

Maybe Sheridan College could have put that \$6,000 that it spent on this thing to print the invitation twice, because as I understand, the first invitation did not say "Donald Allan Shields," but said, "Donald A. Shields," and Mr. Shields said, "I want the invitations done all over again." What a waste of taxpayers' money. To think—

Interjections.

Mr. Grande: Again the minister does not understand what I am talking about. She should find out what I am talking about. Six thousand dollars, and this is the college where within the next year or so we are going to hear of a lot of programs being cut back. This happens to be the college where staff morale is probably at the lowest peak imaginable in any institution.

I want to say to the Minister of Colleges and Universities, when she brings down her budget for next year she should make sure the colleges and universities in this province will be and will continue to be healthy.

Mr. Cassidy: Mr. Speaker, I was listening on the blower and I want to say a few words. I do not know what on earth the minister is doing to the college system, but I know it is having enormously destructive effects. It is also having destructive effects on the universities. Excuse me if I am out of breath, but I did want to say a few words.

I was at Trent University last week and had a chance to talk with the faculty and with representatives of the students and the support staff. They were enormously concerned over what has been happening in that university as a result of the cutbacks which are basically being forced upon them by underfunding by the province.

Hon. Miss Stephenson: An additional \$1.4 million.

Mr. Cassidy: In the first place, that \$1.4 million is simply a replacement of a grant which was provided before because of the fact that

Trent is a different kind of university, a smaller university and is serving a region which would otherwise not have a university. In the second place, it has been accompanied with a series of conditions which have now been bought hook, line and sinker by the president and by the board of governors. That appeared to be the situation when I talked to the people last week.

Not only had they bought that, but they also seemed to have acquired or to have bought hook, line and sinker having decisions rammed down their throats, which is so common to this government and is so offensive, in my opinion, in providing a decent and humane level of social services in Ontario.

One of the reasons the graduate students, students, faculty and support staff were so offended at what was happening at Trent was they had tried to talk to the board of governors and to look at the possibility of alternatives that could be brought in, but they were not being listened to.

Each member of the board of governors had been told quite explicitly to say: "I am sorry, I cannot talk to you. You must go and deal with the president." Since the president of the institution did not want to talk to them, effectively they were being shut out completely.

There is no question that Trent has some difficult decisions to make. This year, the university has been working on a deficit basis. When I had a look through the Hansen report, which I read with quite thorough interest and care, it seemed clear to me Trent had to take steps quickly to get itself back to a balanced operating budget.

The assumption was made by the governors, by the ministry and by the minister's board—goodness knows who made it—that the so-called accumulated deficit of \$1.6 million at Trent had to be made the only priority in the future and that, therefore, the university had to decide to wipe out that accumulated deficit of \$1.6 million within five years. The consequence of that was the college system on which Trent is based, and which it is physically difficult for it to get away from, would be basically obliterated almost immediately.

The concept of education, of mixing different types of faculty members within the various colleges, of having a college in the Canadian environment that would seek to do some of the things the Oxford colleges do in Britain, while doing it within a reasonable period and reasonable cost limits, was being thrown out the window.

The projections about enrolment, for example, which were used to justify the so-called balanced budget were highly questionable. If one changes the concept of the university and makes it into a university like any other except smaller and, because of the lack of graduate teaching, weaker, and nothing else to put in its place, the chances that Trent University would be able to attract students from Metropolitan Toronto and other parts of the province would be severely cut.

10 p.m.

Therefore, we get the situation where the service that was being offered by Trent would be less attractive, and therefore fewer students would come, and the cutbacks that were being imposed would fail to balance the budget and meet the accumulated deficit, and therefore more cutbacks would be imposed and the quality would go down, and fewer students would come. A dizzying spiral downward ensues, whose only ultimate result would be the destruction of a university which has provided a number of talented graduates for the province and for the country, and which has been making a contribution to that region of eastern Ontario.

I wrote a letter to the president. I distributed it in Peterborough. I spoke out publicly because I was offended by the process. I was also offended by this kind of bottom line assumption—we keep on hearing that from people like the Minister of Health (Mr. Timbrell) and others—that somehow all of the accumulated deficit had to be wiped out at once.

I could see in a very quick discussion with the students that it was very possible to implement some of the recommendations within the Hansen report for economies—they did not like it but they could be implemented and tolerated—to maintain the college system at Trent University. In other words, they could maintain the system which has made that university strong, and reduce the accumulated deficit to the point where Trent once again had reserves and had paid off all of its bank loans.

The bank loans amounted to about \$300,000 out of a total of \$1.6 million accumulated deficit. The rest has been drawn down from internal reserves, or was simply the normal trade credits which any institution or organization, including the government of Ontario, would have. Trent simply had a certain amount of credit from suppliers worth about \$300,000 or \$400,000 and that is quite normal.

I have just been paying some bills as I was listening to this particular debate, and I have

been doing that for a number of years in my personal finances. Chargex and Visa do it for me; Air Canada, as well. It is not entirely desirable, but it certainly is tolerable, and it certainly is something that happens in the world of commerce as well, if the minister has not heard of it.

What is better, to save the quality of Trent, to save the idea of Trent, to ensure that university can continue to provide a service, or, in the name of the bottom line, to absolutely destroy that institution? I raise this question because I happened to be at Trent last week.

There are many examples from across the province of bizarre situations which are being imposed on universities and community colleges because of the funding policies which come from this ministry and from the government.

I raised in the Legislature some weeks ago the question of what was happening up at Confederation College in Thunder Bay. I went to talk to them. They told me—I cannot recall the specific figures—their budget was going up by one or two per cent—some ridiculously small figure, because that was the way the formula was working—at a time when their enrolment was rising by seven or eight per cent because of the tremendous hunger for technical and further education that exists both among part-time and full-time students in Thunder Bay, and which is paralleled across the province.

They told me there about the program, which I believe was aircraft maintenance or aircraft construction, which was in strong demand from the aircraft industry, despite the current weaknesses in the industry in other parts of the province. The college was responding to a demand. It was based on strengths that had been developed there at Confederation College over a number of years.

I wish the minister would stop reading her mail and would pay attention. It is only for two and half hours that the minister has to listen to this.

Hon. Miss Stephenson: I am listening.

Mr. Cassidy: The minister is listening?

Hon. Miss Stephenson: Yes, of course I am listening.

Mr. Cassidy: I see. To put it on the record, the minister gives the distinct impression of doing something else, which is a replica of the way she handles her ministry most of the time.

Hon. Miss Stephenson: Really, you are being snide and miserable. Could you please be pleasant for a change?

Mr. Cassidy: No, I am not, as a matter of fact. The minister is a snide and miserable minister.

The Acting Speaker (Mr. Cousens): Order.

Mr. Cassidy: She is a disaster as far as the educational system of this province is concerned. The member for York West (Mr. Leluk) just agreed with me. I am glad to have his support. I think he is lusting for her job. I hope he does not get it.

Mr. Speaker, in order to expand the facilities for this particular aircraft instructor program, Confederation College had been told the money would not be available from the ministry and the only way they could get it was to go to the banks. When I was there a month and a half or two months ago, the bank interest rate, the best rate Confederation could get, was a half over prime, whatever that happened to be. It was something like 22 per cent, according to the notes I have. The ministry was insisting that Confederation go and borrow its money at a rate somewhere above 20 per cent in order to get a needed program.

Up in Ottawa, back in September, I attended an anguished meeting of the governors of Algonquin College and made representations to them and listened to representations being made by other people. A whole series of programs was being cut out by Algonquin College, programs of enormous importance as far as the Ottawa area was concerned. The minister may recall my making representations on behalf of the visual arts program, a program that was providing support for a wide variety, in particular, of crafts people working in the Ottawa Valley. Crafts people do not have fancy incomes; they do not have expense accounts to hop around by jet the way government ministers do. But crafts people are an important part of the economy of eastern Ontario.

Hon. Miss Stephenson: We did not have a jet.

Mr. Cassidy: You do not have it yet.

They happen to be an important part of the economy. They are self-employed. Their incomes are not particularly great. They do not rely, however, on welfare or anything like that and they create employment. They need the support that was available through the program at Algonquin College. It has been chopped. Other programs at Algonquin have been chopped as well.

Every year now for the last three years there

has been a financial crisis at that particular college as it has struggled, as the largest community college in the province, with the problem of how to provide the programs in demand in the community within the funding limits the ministry is pleased to impose upon it.

My colleague from Etobicoke (Mr. Philip) wrote to the minister some time ago pointing out that Humber College's enrolment in his riding has been growing at a rate of eight per cent a year, but the college's grant increase has been going up at a rate of only about eight per cent a year. The minister knows enough about economics to know that if grants are going up by eight per cent and enrolment is static, that means in real terms resources that are available are going down by about two per cent per year. If in fact enrolment is also going up, as it is at Humber, it means resources in real terms per student are going down by about 10 per cent per year. That is intolerable.

No institution can adapt to a drop like that and certainly no institution can maintain quality for any length of time. These are not cuts that just began in the last year. This is not a situation of a bloated, fat, educational system. If it were, of course, it would be the responsibility of this government. But this is a system that has been subjected to cutbacks, squeezes and freezes and that kind of thing for quite a number of years now.

I had the opportunity to talk at length with the people in the theatre arts program at Humber College. I happened to get on the line to them. I found when I talked to them that one of their professors who is an old friend of mine, Bill Davis, a former director of the National Theatre School of Canada, an eminent director with an international reputation, happens to be one of the teachers at Humber College in theatre arts.

The theatre arts program at Humber College does not have a parallel elsewhere in the city of Toronto or in the region of Toronto. It has about 65 students. The students get an all-round program in acting, stage work, production, what to do in the front office and that kind of thing. They are put out into the community, they work with a number of different arts organizations, they gain practical hands-on experience; and everyone of them who graduates from that program gets a job.

It is a three-year program. The students were being told in their first and second year that they would be left without a program to continue. They were told to transfer to George Brown College, but when we checked with George

Brown we found that (1) they did not have the resources, (2) its program was only a two-year program and (3) the George Brown program was one in musical comedy, which focused on singing and dancing. Obviously, the people who went to Humber did so because they did not want musical comedy and because they wanted to know what happened backstage as well as learning about performing.

10:10 p.m.

There were other equally valuable programs that were chopped at Humber. I raised that as a specific example, because a few weeks ago the Minister of Culture and Recreation (Mr. Baetz) proudly announced to the Legislature that Toronto was entering a new era in the field of theatre with the government's assistance for the purchase of the Winter Garden by Mr. Drabinsky or some other of the minister's friends in the private sector.

The Winter Garden would be turned into a transfer house, and one of its purposes would be to encourage Canadian theatre. Another purpose would be to provide a place to which successful productions from the Tarragon Theatre, the Bathurst Street Theatre, the Toronto Truck Theatre and other places in town would be able to transfer if they had a long run. That seemed to be at least a justifiable rationale.

There have just been a number of grants made from Wintario to theatre groups in Toronto and across the province. In various ways, the government has recognized that Toronto is now one of the top three theatre centres on the North American continent and can hold its own, as we saw with the Toronto Theatre Festival a few months ago, with any theatre centre in the world, even though cities like London and New York have more theatre than we have here.

Apart from the cultural value of that, theatre is an industry. Tourism is an industry for Metropolitan Toronto. People come here because our streets are safe, because they want to look at city hall and Osgoode Hall, because they want to engage or join in the cultural life of this community and because they want to see theatre.

Here we have an industry that is going to grow and that is being fed skilled people all of whom from Humber College get jobs. The ministry is aiding this industry to grow with just as much strategy as there is in the Board of Industrial Leadership and Development from the Treasurer (Mr. F. S. Miller) and the Minister of Industry and Tourism (Mr. Grossman).

Yet thanks to the cutbacks by the Ministry of Colleges and Universities, Humber College is chopping its program. I believe Humber has decided it will keep the program for the first-year students so they will be able to complete it. It is not being allowed to keep the program forever; it is just being allowed to keep it for students who are already there in order that the commitment made when they enrolled will be fulfilled. I have seen that happen with a film school in Ottawa at Algonquin, and I do not think that is good enough.

That is Humber in Toronto, Algonquin in Ottawa, Confederation in Thunder Bay. I talked to my sister the other day who teaches at Conestoga College in Kitchener. She said:

"The work load for teachers and the lack of assistance has gotten to the point where I have decided to take some of my own salary in order to pay a teaching assistant or a marker to help keep up with the work coming from the students. There is no other way I can do justice to those students because, if I did not do that, I would either collapse or the students would not get any of their work back in order to know how they were doing on a week-by-week basis."

That is Conestoga in Kitchener. It is happening in every community college in the province. What the devil is this government doing to our young people if this continues? Where do we have a commitment in terms of the future of the economy of this province? Why do we have a situation where the community colleges were so desperate they were using equipment that in certain cases was 25 years old. At Algonquin College they had some equipment in the physics laboratory that they could only repair by going to the Museum of Science and Industry in Ottawa to cannibalize a machine there, because they could not get anything more up to date. Why was that not kept up to date? Where are the laboratories and lavatories at the University of Toronto, and how long is this going to go on?

I have a final point to make to the minister. I say this to the minister in particular because of her sex. I raised this matter in the House today with her colleague who is also responsible for apprenticeships because yesterday she was absent. I am not sure; I believe she was here, but it was the Minister of Labour (Mr. Elgie) to whom I directed it.

Three or four years ago, I began raising the question about the total lack of provision of apprenticeships for women in the skilled trades in Ontario with the exception of the service trades. The latest figures, which came from the

director of apprenticeship in August and which are as of March 31, are that 21 of the 12,000 people in the construction trade apprenticeships are women; 49 of the 12,000 in the motor car trades, mechanics and so on are women; only 13 of 3,000 in the industrial trades are women; and 91 of the 6,000 in the nonregulated trades are women.

This minister has been responsible for the colleges for the past four years. She had an opportunity to blaze trails on behalf of her sex to ensure that women would have a genuine chance at the high-paying jobs that come through getting skilled apprenticeships. She failed in that job as well and, by God, I am going to keep on with this after the new year as well.

I do not know where we are going to go in this province as long as we have a government that has throttled post-secondary education; it is throttling opportunities for young people and, as a consequence, it is throttling the future of our economy.

Hon. Miss Stephenson: Mr. Speaker, I am concerned that the member for Ottawa Centre is again repeating material which, I have been assured by the president of Confederation College, is entirely incorrect. I have a communication from him which I will be glad to demonstrate to the honourable member. It proves that what the leader of the third party was saying is misinformation, unfortunately—

Mr. Cassidy: I got it from him. If you are accusing him of misinformation, go ahead.

Hon. Miss Stephenson: I am sorry, but I have a communication from him suggesting strongly that this was total misinformation.

The college system is functioning very effectively at the present time because the boards of governors are taking their responsibilities seriously. The first purpose of the community college system is to provide for up-to-date training programs that are relevant to the needs of the students, the business community and the industrial community.

The colleges are carefully looking at all their programs and are attempting to eliminate or reduce programs which are no longer relevant. That is part and parcel of their mandate. They are beginning to do it very effectively, and I am proud that they are.

Humber College had a problem where I believe the administration acted inadvertently, without advice and without the authority of the board. The board has reversed that decision.

In addition, the universities are functioning

extremely effectively at present. We have a good communication program now to look at the problems they are facing. We have provided additional funds this year specifically for the purpose of improving their equipment. The equipment at the universities is for the research programs.

The post-secondary system in this province was built primarily by a Conservative government. I should like to assure the honourable member for Windsor-Sandwich (Mr. Wrye) that it will be preserved by a Conservative government. Unfortunately, the Leader of the Opposition (Mr. Smith) and his Gritty boys have nothing to do with it.

The Acting Speaker: Shall this resolution be concurred in?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

CONCURRENCE IN SUPPLY, MINISTRY OF COLLEGES AND UNIVERSITIES

Mr. Cassidy: Mr. Speaker, the minister in her haste to say how good the system is failed to explain why it is that, after all these many years she has been the minister, there are only 174 women in nonservice-area apprenticeships out of 33,794 in the province. Why has she failed completely to make any change in that despite having been the minister for the past several years?

Hon. Miss Stephenson: Mr. Speaker, am I permitted to respond to that?

The Acting Speaker: This is a new concurrence. Is there anyone else who would like to participate in this debate?

10:20 p.m.

Mr. Cassidy: Mr. Speaker, on a point of order: The minister can certainly reply to this. That does not close off the debate.

The Acting Speaker: It would close the debate, and there are other—

Mr. Cassidy: It seems to me that it might be valuable if she would reply and, if we are not satisfied with the answer, we can ask again.

The Acting Speaker: We will follow the normal process, and there are other honourable members who wish to participate.

Mr. Riddell: Just very briefly, Mr. Speaker, I

would assume that the Ontario Veterinary College comes under the minister's jurisdiction as well.

Hon. Miss Stephenson: Partly.

Mr. Riddell: I do not know whether she is aware of what is happening there.

Hon. Miss Stephenson: Yes.

Mr. Riddell: The minister has probably received letters that I have been receiving. She has probably been given to understand that the quality of education at that OVC leaves a lot to be desired, simply because they are working with outdated equipment, with inadequate facilities and with a very high teacher to pupil ratio. I understand that the federal minister is contemplating building a new veterinary college in Prince Edward Island.

Hon. Miss Stephenson: I hope he does.

Mr. Riddell: She hopes he does?

Hon. Miss Stephenson: Yes.

The Acting Speaker: Order. Carry on.

Mr. Riddell: That is interesting, because here in Ontario we are letting the OVC deteriorate, according to the information we are given. Yet we are thinking about building another veterinary college in Prince Edward Island. Are there going to be more funds made available to the Ontario Veterinary College so that they can continue with the high degree of education that they have been giving to the students?

As a matter of fact, it is my understanding that students now say when they graduate from that college that they feel they have been short-changed as regards education and the quality of education they have been receiving. I went to the Ontario Agricultural College—

Mr. Watson: Great college.

Mr. Riddell: That is right. I graduated in 1957. I know at that time there was not a college in Canada that could compete with the Ontario Veterinary College from the standpoint of the quality of education and the kind of students—

Hon. Miss Stephenson: They still cannot.

Mr. Riddell: The minister says they still cannot. Obviously, she has not been getting the correspondence that I have been getting from graduates of that college and from students who are attending that college.

During a very lengthy debate we had in the estimates of the Ministry of Agriculture and Food, the member for York South (Mr. MacDonald) and I drew attention to the very concerns that people have about the deteriora-

tion in the education of that college. Yet the minister can sit there and say we are still turning out the best students that can be turned out of any college. Either the minister is getting different information from what I am getting or she is living in a dream world—

An hon. member: It is number two.

The Acting Speaker: Order.

Mr. Riddell: I do not want to prolong this, but I just want to ask the minister whether she is going to provide additional funding to the Ontario Veterinary College to update their facilities, to update their equipment and to give teachers an opportunity to give the kind of attention to students that they have received up until the last year or two. In other words, can we consider that the OVC is going to retain its licence and that it is still going to be considered the top veterinary college in Canada? I wonder if the minister will respond to that.

Hon. Miss Stephenson: Mr. Speaker, in response to the member for Ottawa Centre, I should like to state quite unequivocally that there is no bar or impediment whatever to the admission of potential female apprentices to apprenticeship programs, absolutely none.

There are, in fact, some difficulties in terms of attitude. We have been spending a great deal of time and effort in the elementary secondary system to make young women aware of the potential for a satisfying career in the nontraditional roles, particularly in skill training.

One really has to consider that at this stage we are bucking about 6,000 years of human history and a good deal of concern on the part of parents about admission into nontraditional roles, but young women are beginning to move in that direction. I do not think we can order them into apprenticeships in skill training programs, but I do think we can continue to encourage them. But there is absolutely no bar or impediment to their admission at this point in any of the programs I am aware of.

I am concerned that we do need more work place educational programs within the school system. This is a matter of increasing our co-operative education programs, which I think may induce more young people, both male and female, to consider that kind of career choice.

As far as the Ontario Veterinary College is concerned, we are very much aware of the conditions there. We are quite delighted with the idea that the federal government might build a veterinary college on Prince Edward Island. The Ontario Veterinary College is

required, as a result of an agreement that has been made for some time, to reserve a very significant number of places in every single year for anglophone students from Quebec and for all students from the Maritimes. That is a considerable number of students. It is a very significant part of the student enrolment at OVC. Every year we receive a large number of letters, telegrams and telephone calls from potential students and parents of potential students who are citizens of Ontario who feel very aggrieved that their qualified offspring have not been able to get into OVC.

It would be a very reasonable thing, I think, to have one more veterinary college in Canada. There are only three at the present time: one in Quebec, one in Saskatchewan and one in Ontario. I believe it would be appropriate to have an additional college in the Maritimes; whether in Prince Edward Island, Nova Scotia or New Brunswick matters little.

The concerns about the clinical education program are matters of which I have been aware and concerned about and have been discussing with the appropriate people for the past year. I believe we have a significant part of that problem dealt with at this point as a result of the activity of the administrative branch of the Ministry of Agriculture and Food and as a result of some further activity by the board of governors of the University of Guelph.

The Acting Speaker: Shall this resolution be concurred in?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

CONCURRENCE IN SUPPLY

Resolution for supply for the following ministry was concurred in by the House:

Provincial Secretariat for Social Development.

CONCURRENCE IN SUPPLY, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

The Acting Speaker: Shall this resolution be concurred in?

Mr. Cooke: Mr. Speaker, I have a number of remarks to make. I wonder if it would be in order to move the adjournment of the debate.

The Acting Speaker: We still have some time.

Mr. Cooke: Fine, Mr. Speaker. I raised a case last week in the Legislature dealing with a

14-year-old girl who had been inappropriately placed in an adult facility in the southwest region in the St. Thomas Psychiatric Hospital. The minister seemed to take the approach last week of not admitting that there was a serious problem, as his colleague the Minister of Health (Mr. Timbrell) did when the case was originally raised in the Legislature. Instead, he decided in his statement on Friday to go on the attack and indicate there was no problem, that the child was appropriately placed.

I do not know how anyone could defend the idea of a child being appropriately placed in an adult facility—the minister nods his head up and down in an indication that this is an appropriate place for a 14-year-old girl. After talking to the people at the hospital, I learned its mandate was clearly that they are to do assessments there on occasion when there are no other facilities available for adolescents. I cannot understand it if the minister seriously believes that is adequate for a 14-year-old girl who had more assessments than need be over the last five years. She has been assessed time and time again; in fact, that is probably the only consistent attention she has received in our mental health system. There is a real question, and there always has been a question, about the ability of this minister to run his ministry and understand some of the problems children have in this province.

I want to take the opportunity on this specific case, and then I will get into the general tomorrow, to talk about what some of the professionals who dealt with this case said. Dr. Johnson stated in the articles in the Windsor Star that the only reason this child was placed at St. Thomas was that there were absolutely no other options available to him. He did not want her there.

Mr. MacNeil, the executive director of the children's services committee in Windsor, stated the committee is concerned about the number of placements this girl has received and is ready to seek alternatives on her request; and in quotes: "The more placements you have for a child, the more likely you are compounding the child's problems rather than dealing with them."

There were a number of articles last week in the papers that recited various statistics.

The Acting Speaker: This might be an appropriate time to break your remarks.

On motion by Mr. Cooke, the debate was adjourned.

The House adjourned at 10:32 p.m.

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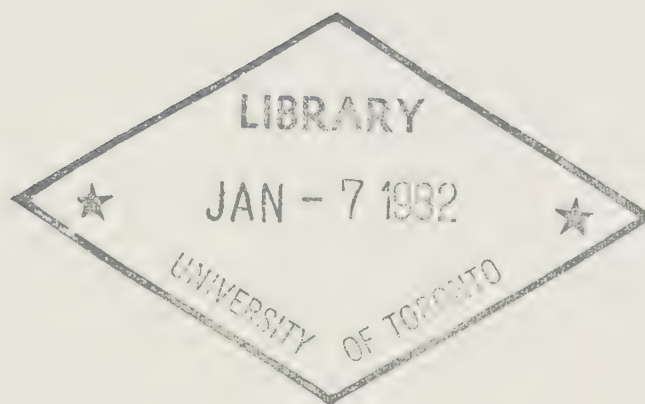
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No. 132

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Wednesday, December 16, 1981

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Wednesday, December 16, 1981

The House met at 2 p.m.

Prayers.

BUSINESS OF THE HOUSE

The Deputy Speaker: The chair has two notices this afternoon, the first being on the Order Paper. It indicates the House will be commencing routine business at 2 p.m. and then again at 8 p.m. The 8 p.m. order is incorrect, as agreed to by all party House leaders. It will be struck from the record.

COMMISSIONERS OF ESTATE BILLS

The Deputy Speaker: Further, I beg to inform the House that the Clerk has received from the commissioners of estate bills their favourable report on Bill Pr21, An Act respecting the Trusteeship of the Balance Share Warrant of Global Natural Resources Limited.

ROLE OF AGRICULTURE

Mr. G. I. Miller: Mr. Speaker, on a point of privilege: The apples on the desk are courtesy of the member for Haldimand-Norfolk. They were grown in Vittoria. The purpose is to get us all in the Christmas spirit and to bring to the attention of the Premier (Mr. Davis), the Treasurer (Mr. F. S. Miller) and the Minister of Agriculture and Food (Mr. Henderson) what agriculture really means to Ontario. I hope they will not put us in the position of the people in Poland while we have plenty of food. This is to draw it to the attention of this Legislature.

Mr. Cassidy: Mr. Speaker, on the same point, if an apple a day keeps the teacher away, why is it that while enjoying these apples we still have to endure the presence of the Minister of Education (Miss Stephenson)?

Hon. F. S. Miller: Mr. Speaker, it is the doctor the apple keeps away. I used to take one regularly when Morty Shulman was my critic in Health.

STATEMENTS BY THE MINISTRY

FEDERAL-PROVINCIAL FINANCIAL ARRANGEMENTS

Hon. F. S. Miller: Mr. Speaker, on Monday and Tuesday of this week I met with the federal

Minister of Finance and my provincial colleagues in what I viewed to be a critical session. I would like at this time to provide members with my perspective on what transpired.

The most immediate area of discussion was the recent federal budget with its massive tax changes, cuts in federal transfers to provinces and lack of an economic strategy for the nation. In approaching this meeting, I felt it was necessary not only to make clear Ontario's concern with the budget, but to present to Mr. MacEachen a positive plan of action.

Prior to the ministers of finance meeting, I consulted with a number of associations and business groups in order to hear their views on the federal budget. It was clear from their comments that faith in the economic leadership provided by the federal government, already in serious question, had been dealt a severe blow by the recent federal budget. This confirmed the view that I had expressed previously.

Maintaining a healthy degree of confidence is essential to ensuring an attractive investment climate, a climate where small businesses and large businesses, sophisticated investors and those of more moderate means, will provide the effort, capital and the degree of entrepreneurship that creates jobs and prosperity for all Canadians.

In this regard, I am convinced that certain measures in the federal budget, plus the incredibly abrupt manner in which the changes were brought forward, have serious implications for both short-term and long-term economic prospects. To me, tax measures which encourage individuals and businesses to invest for future economic return are not loopholes but are necessary and legitimate incentive devices.

The federal proposals to reduce significantly provincial transfers are another serious concern.

Mr. Nixon: Did the minister pay \$2,000 for this livery?

Hon. F. S. Miller: This is not printed in my new type.

Mr. Nixon: What a waste of tax money.

Mr. Stokes: I am glad you are treating this with the levity it deserves.

The Deputy Speaker: Yes, I thank the member

for Lake Nipigon. Would the Treasurer please continue?

Hon. F. S. Miller: The members of this House have been kept fully informed on developments in respect of the negotiations on new fiscal arrangements.

I believe something quite remarkable was achieved in the past two weeks, which should not have been missed by Mr. MacEachen. During the ministers of finance meeting the provinces tabled two reports reflecting their collective position, one on equalization and another on established programs financing. I have made arrangements to ensure that all members receive copies of these reports today.

I was impressed during our meeting with the soundness and strength of the provinces' position on fiscal arrangements. It would have been only too easy to cite all the things the provinces could do to enrich their health delivery and education systems in order to ask for considerably more in transfers than under existing arrangements. Instead, all provinces emphasized the integrity of the long-term established programs financing arrangement negotiated in 1976.

In respect of equalization, the provinces raised some legitimate concerns about the proposed formula and pleaded for more time to examine these problems as well as alternative formulas. Yet, they also indicated a willingness to make any agreed-upon formula, once established, retroactive to the beginning of the fiscal year.

2:10 p.m.

Mr. MacEachen did indicate that his officials will consult with their provincial counterparts during the next few weeks to consider alternatives. Although I question the amount of progress that could be accomplished within such a short time, Ontario will of course participate constructively in an effort to persuade Ottawa to reconsider its EPF proposals.

I also told the Minister of Finance that federal interest rate policy and the timing of additional tax incentives, on top of already large oil price increases, showed a total lack of sensitivity to current economic conditions.

A concrete economic strategy for long-term growth, which if properly designed could encourage activity now, was completely lacking. The federal government once again failed to recognize that action on its part to reinvest petroleum revenues in those sectors facing difficult adjustment problems is essential to promoting solid growth prospects for Ontario and Canada.

Rather than simply criticize, I presented to Mr. MacEachen a five-point program to restore confidence in the Canadian economy.

Mr. Renwick: A mélange of unrelated measures.

Hon. F. S. Miller: Listen to what I proposed. How many points will the honourable member disagree with in his riding?

First, a number of the most damaging tax provisions in the federal budget should be withdrawn. In this regard I must emphasize the critical need for continued incentives for investors, small businesses and farmers. I am also concerned about the impact on our steel industry.

Second, the federal government should withdraw its proposals to reduce federal contributions for established programs and, over the next year, without threats, enter into serious discussions with the provinces about program changes desired by the federal government, their associated costs and a mutually agreed upon allocation of those costs.

Third, the Minister of Finance should turn his immediate attention to the developing economic crisis and encourage the governor of the Bank of Canada to allow Canadian interest rates to decline further relative to United States rates.

Fourth, Mr. MacEachen should re-examine, in conjunction with the provinces, the reinvestment of federal petroleum tax revenues to reflect the priority needs of the non-energy sectors of the economy.

Finally, both the federal and provincial governments should work together to monitor the economic situation and respond with joint actions as required. The improvement in the small business development bond program for farmers would be an example.

I feel that Ontario's proposals were endorsed to a large extent by my colleagues. There is great concern among provincial ministers of finance with the federal budget tax proposals and interest rate policy, and unanimous rejection of the established programs proposal.

The degree of provincial consensus is a critical message to Mr. MacEachen. That is why I am quite disappointed with the response of the federal Minister of Finance. Major changes to certain federal policies and substantial new policy actions are urgently needed. To try to discredit provincial proposals as inconsistent is not only incorrect but also a disservice to the people of Canada and their needs.

Ontario's concern on this matter is sufficient that it may be necessary to consider withdraw-

ing from the personal income tax collection agreement to provide an Ontario income tax structure in line with the needs of its people. This is, of course, a matter of major proportion and one I would look at only as a last resort.

Ontario recognizes the need for a federal deficit reduction strategy but, as demonstrated by our own efforts, this strategy has to be sensitive to economic conditions. Economic and fiscal policy must recognize the high social and personal cost of bankruptcies, layoffs and postponed investment. The fight against inflation has to be waged in a way that is equitable, and not on the backs of small businesses, farmers and ordinary working people.

While a reduced federal deficit is an important element in the fight against inflation, it is also vital that we improve productivity. We must encourage much-needed investment activity, not discourage it, if this is to be achieved. Furthermore, it is questionable how much is gained in combating inflation if the result of the federal actions is that the provinces are forced to raise taxes or increase their deficits to maintain acceptable standards of public service.

Major reductions in the federal deficit, at the expense of investment and the provinces, and at a time when our economic performance is slipping, are inappropriate. Mr. MacEachen's problem is that never having had a viable deficit reduction strategy, he is defending his efforts on this front without regard to legitimate concerns about the nature and timing of his policies.

Ontario is trying to be positive and constructive in its suggestions. We feel the need for federal action is urgent. I honestly hope that upon reflection the Minister of Finance will respond positively to the reasonable and necessary suggestions put forward by Ontario and the other provinces.

OMBUDSMAN'S VISIT TO SOUTH AFRICA

Mr. R.F. Johnston: Mr. Speaker, I wish to rise on a point of privilege concerning the Ombudsman, Mr. Morand. It has come to my attention the Ombudsman will be visiting South Africa in the new year as a guest of the International Bar Association, not as our Ombudsman. It strikes me that it is totally inappropriate for the Ombudsman to visit that country. It is wrong because he is known as our Ombudsman, because of South Africa's apartheid policies and oppression, and especially because our select committee will be meeting in February to

discuss some of the international ramifications of terrorism, Amnesty International, and human rights problems around the world.

Mr. Bradley: How about Cambodia?

The Deputy Speaker: Order.

Mr. R. F. Johnston: Because he is a servant of the Legislature, and because he reports to this Legislature through you, I would hope that you would discourage him from taking this trip.

The Deputy Speaker: I think the appropriate action would be through the committee of the Ombudsman, so that all members might reflect their concerns directly to him.

TRIBUTES TO F. NORMAN SCOTT

Hon. Mr. Davis: Mr. Speaker, on behalf of the government I rise on this occasion to pay special tribute to Mr. F. Norman Scott, the Provincial Auditor, who retires at the end of this year after more than 40 years of service to the people of Ontario. He is that shy unassuming man in the Speaker's gallery.

It was the good fortune of the government and people of Ontario when in 1940 Mr. Scott accepted a position with the then Department of Labour. Just a year later he left to join the Royal Canadian Air Force, and following distinguished wartime service, including 18 months as a prisoner-of-war, he returned to the Department of Labour. His career took a new direction when in September, 1952, Mr. Scott joined the Office of the Provincial Auditor as chief audit accountant, subsequently rising to become Provincial Auditor.

Under his guidance and direction, conversion was effected from a pre-audit to a post-audit basis of examining expenditure, and he also shepherded the introduction of the Audit Act, effective on April 1, 1978, which greatly improved the independence of the auditor and broadened his scope and responsibility in many areas.

In recognition of Mr. Scott's distinguished service to his profession, he was made a Fellow of the Ontario Institute of Chartered Accountants. Throughout his career he earned the high regard of his colleagues in the Ontario government, including the civil service and elected members on both sides of the House.

As Mr. Scott now prepares to relinquish his onerous responsibilities at the end of this year, I would like to express to him deep appreciation for his efforts to ensure sound accounting and the utmost integrity in the handling of public funds. Mr. Scott takes with him our warmest

good wishes for many happy and active retirement years, secure in the knowledge and satisfaction of a job well done.

At the same time I would like to introduce to the House Mr. Douglas Archer, who will succeed Mr. Norman Scott as Provincial Auditor. As an addendum, following the concept of the act, he will act in consultation with the member for Rainy River (Mr. T.P. Reid).

[Applause].

Hon. Mr. Davis: Why is the member the only one to applaud?

Mr. Archer is very young. He is 53 years of age, which makes those of us who are 52 even younger, was born in the city of Toronto, attended St. Michael's College High School and he obtained a Bachelor of Commerce from that great university, the University of Toronto, and is a member of the Institute of Chartered Accountants of this province. He joined the provincial government in 1966, with the Department of Health, as head of internal audit for the medical services insurance plan.

In 1971 he was assigned to the Office of the Provincial Auditor as the director, crown agency audit branch. In 1971 he was named the director of the public accounts audit branch and appointed assistant provincial auditor in 1978.

2:20 p.m.

Prior to becoming a member of the public service, Mr. Archer was with a certain life insurance company known as "a piece of the rock," Prudential. That is the only plug I will give. From 1953 to 1956 he held various internal audit capacities, which saw him assigned to the head office in Newark, New Jersey, and to regional head offices in Minneapolis, Minnesota and Toronto.

As a further indication of his competence, he has been not only a great auditor, one in whom I am sure members of this House can repose great confidence, but has also demonstrated he did take some time away from his responsibilities, because he is married, and he is one up on me, having four daughters and two sons. The new Provincial Auditor is in the gallery to the right of the present Provincial Auditor.

Mr. T. P. Reid: Mr. Speaker, I rise to join with the Premier in wishing Norman Scott our best wishes and a happy and healthy retirement. Mr. Scott became the Provincial Auditor for Ontario in 1974, and I was appointed chairman of the public accounts committee at the same time. It is fair to say the operations of the Provincial

Auditor and the public accounts committee are about as arcane and esoteric as anything we do in this Legislature.

I want to assure the members in this House we have indeed been fortunate in having Mr. Scott as the Provincial Auditor. I attended numerous conventions with Mr. Scott over the years of our association, but one incident sticks in my mind. Although I would rather say it happened at the Ontario provincial level, to be fair this incident happened in Ottawa. A federal deputy minister was on a panel and said, "I have all this money in my budget that I do not know exactly how to spend." And our auditor said, in his own quiet way: "Mr. Deputy Minister, that is not your money, that is taxpayers' money."

In the last two weeks there was a gathering in the Legislature to honour Mr. Scott on his retirement. It was interesting to me that a number of the people there were those he had audited and criticized over the years. I think that is really the measure of the man. They appreciated two things about Mr. Scott, and I will be proud if, when I leave this Legislature at some time, somebody will say them about me. In his dealings as Provincial Auditor he has been both a professional and a gentleman. We wish him well in his retirement.

I would like to add a word about Doug Archer who will be the new auditor after December 31. I have also had an opportunity to work with Mr. Archer over the years. I feel we will again be well served by Mr. Archer in the coming years.

The Deputy Speaker: On behalf of the Speaker's office, we would like to express our great gratitude for the long years of service Mr. Scott has provided to this government in Ontario. On behalf of all members of the Legislature and Mr. Speaker Turner we wish you well, and also on behalf of the member for Lake Nipigon (Mr. Stokes), who has served along with you for some four years. I know that member would also like to say a few words.

Mr. Stokes: Mr. Speaker, I would like to associate myself and members of the New Democratic Party with the sentiments expressed by the member for Brampton (Mr. Davis) and the member for Rainy River (Mr. T. P. Reid). As you have said, Mr. Speaker, I have had the opportunity to work very closely with Mr. Scott in the position you now hold. All the work he has done has made the Office of the Assembly and indeed this Legislature look very good. I happen to know a lot of the innovation Mr. Scott has brought to financial accountability in this province has been emulated in a good many

jurisdictions, from one end of the country to the other. Not least of all, those procedures turned things around in Ottawa, as a result of some of the innovations made here by Mr. Scott and his staff having been accepted by the former Auditor General, Mr. Macdonnell, and the incumbent there.

As a result of the very diligent and unselfish way Mr. Scott has served this Legislature, the democratic process, and literally everybody in Ontario, all the accolades being cast his way are well-deserved.

While I do not know Mr. Archer as well as I knew Mr. Scott I know of his reputation. I am sure he will follow in Mr. Scott's footsteps in the same way we have been used to under Mr. Scott since 1974.

I would like to join with the Premier and the member for Rainy River in wishing Mr. Scott and his family many years of peace, happiness, harmony, contentment and good budgeting at home.

The Deputy Speaker: As members of the Legislature can appreciate, in terms of ministerial statements, there is a limit. However, under the circumstances, in recognition of Mr. Scott, we will abide an excess of opening statements and now turn to the Minister of Culture and Recreation.

RESETTLEMENT ASSISTANCE FOR POLISH SELF-EXILES

Hon. Mr. Baetz: Mr. Speaker, Poland and her people are very much on the world's mind this week.

On Monday, my colleague the Minister of Intergovernmental Affairs (Mr. Wells) and other members of this House spoke of the current situation. In his statement, the minister pointed out that the provincial government is working with the federal government to help Polish self-exiles resettle here.

Six weeks ago I made a detailed statement on the resettlement question. At that time I indicated the province was taking special measures to help. I also pointed out that the outstanding voluntary agencies in the community are essential to this resettlement effort. In the first 10 months of this calendar year some 1,300 eastern European self-exiles, most of whom are Polish, have come to Ontario.

Over the past number of weeks, my officials have been working closely with representatives from both the Polish Canadian Congress and the Canadian Ukrainian Immigrant Aid Society. Together, we have been developing a plan

to deal with the arrival of Polish self-exiles, some of whom are Ukrainians by ethnic origin. These meetings have helped to determine what financial assistance from my ministry is necessary to ensure the most effective types of reception and settlement services are provided.

I am pleased to announce today that I have just approved a grant of \$34,000 to the Polish Canadian Congress to assist in voluntary resettlement work.

Our discussions with the Canadian Ukrainian Immigrant Aid Society are in the final stages, and I hope to be announcing our assistance to the society in the very near future. Thank you.

The Deputy Speaker: A further statement from the minister.

TRIBUTE TO JOCELYN MUIR

Hon. Mr. Baetz: Mr. Speaker, while I am on my feet, we would like to draw to members' attention that we have with us today in the House a young Canadian whose accomplishments are truly remarkable. Her name is Jocelyn Muir. Earlier this year, on September 4, at the age of 15, she swam Lake Ontario. Jocelyn is the youngest person to have done this. She entered the water at Niagara-on-the-Lake and emerged 32 miles away in Toronto. Despite high winds and choppy waters, her swim took only 15 hours and 56 minutes, just 21 minutes more than Cindy Nicholas's world record.

Jocelyn's crossing was a family affair. Her brothers, sisters and parents all had a role to play. The guiding light behind this young woman's extraordinary endeavour was her coach, Joan Lumsden. It was she who convinced Jocelyn's understandably reluctant parents that the marathon swim was within their daughter's capabilities.

I am sure all honourable members will join with me in congratulating Jocelyn Muir and her coach Joan Lumsden. I know we all look forward to Jocelyn's future exploits and wish her the very best.

2:30 p.m.

MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS STATUTES REPEAL BILL

Hon. Mr. Walker: Mr. Speaker, later today I will be introducing a bill that will abolish nine statutes of the Legislature and repeal several sections of three existing statutes. This bill, called the Ministry of Consumer and Commercial Relations Statutes Repeal Act, represents the single largest abolition of laws in one statute

in the history of Ontario. It will eliminate laws and specific sections that have become obsolete with the passage of time or no longer serve any worthwhile public purpose or duplicate protections contained in other legislation.

I wish to stress that this will be accomplished without in any way affecting our continued commitment to consumer protection. During the last few months, we have contacted groups that might be affected by statutes slated for repeal. They are most enthusiastic about our initiative to clean up and unclutter the province's laws. I should note that we are continuing our review of statutes under the administration of my ministry to determine what other laws could be abolished.

Perhaps I could quickly give a few examples of statutes on which the sun will finally set in our campaign to reduce unnecessary government meddling in the lives of Ontarians. Under the bill to be introduced today, we propose to repeal the Bills of Sale Act. This pre-Confederation statute was originally enacted by the Reform Party government in 1850. It provides that when goods are sold but not delivered immediately, the seller must register the bill of sale with the government as evidence that he no longer actually owns the goods still in his possession.

Theoretically, a wise buyer should check the government's records to determine actual ownership of goods he is interested in purchasing. However, the act would pose colossal problems if its existence, after 131 years, were to become common knowledge, even among lawyers. Many tens of thousands of wholesale and retail sales would be technically void. Businesses, large and small, would be burdened with yet another layer of costly paperwork. In fact, if we ever dared to enforce this act, commerce in this province would be brought to a halt in a confused snarl of paper held together by streams of red tape.

We propose to repeal the Egress from Public Buildings Act. This statute was first enacted in 1866 by the great coalition government. Perhaps its creation a year prior to Confederation was symbolic of a more open and outward vision among Upper Canadians as it requires that doors in public buildings shall open outwards. It is the position of this government that the most appropriate hingeing of doors should be decided by the fire code as a question of safety.

We propose to repeal the Debt Collectors Act. This Victorian legislation, first introduced by a Liberal government in 1896, prohibits the printing, publishing or use of forms which

imitate any form used in small claims court or in any other legal process. This act has changed very little in 85 years and, most significant, has not resulted in a single prosecution.

One reason for this is that violations are most likely to be made by unethical collection agencies, which we prosecute under the Collection Agencies Act. We can improve consumer protection by abolishing the Debt Collectors Act and including a code of ethics in the regulations under the Collection Agencies Act to deal more effectively with unscrupulous agencies that attempt to harass the public by passing off their own forms as intimidating legal documents. Regulations will be updated quickly to keep up with the ingenuity of the unethical collection practices.

We propose to repeal the Consumer Protection Bureau Act. This act, which was passed in 1967, requires the creation of a bureau to disseminate consumer information, promote credit counselling services, investigate consumer complaints and enforce consumer protection legislation. Since then, the Ministry of Consumer and Commercial Relations was created, which is devoted to carrying out the information, educational, investigation and enforcement duties once assigned to that bureau.

We propose to repeal the Paperback and Periodical Distributors Act. The act empowers a government registrar to specify the actual territory in which registered Canadian businesses will distribute foreign periodicals and paperback books. In this respect, the act is anticompetitive and infringes on the consumer's choice.

The other statutes marked for abolition are: the Petroleum Products Price Freeze Act of 1975, the Quieting Titles Act, the Co-operative Health Services of Ontario Assets Protection Act and the Ontario Credit Union League Limited Act. These are in addition to the Mortmain and Charitable Uses Act and the Bread Sales Act which are being repealed under separate statutes.

We are also proposing to abolish the licensing of sales agents under the Liquor Licence Act, the Cemeteries Act and the Travel Industry Act. We have found these sections are unnecessary because we already have other, more stringent controls on these industries.

Mr. G. W. Taylor: On a point of privilege, Mr. Speaker: I would like you and my colleagues to recognize the members of the municipal councils of Innisfil and Barrie, who have just settled the annexation issue. They are here today to

watch the progress of Bill 156. I would like you and my colleagues in the Legislature to recognize them. They are seated in the east gallery.

FREEDOM OF INFORMATION BILL

Mr. T. P. Reid: On a point of privilege, Mr. Speaker: I rise to bring to your attention another promise that has been broken by the government in regard to the freedom of information act. The minister, who is sitting there looking very lonely and intimidated, as he should, indicated that on December 15 we would have an information act. He then backed off and said that at the very least we would have a white paper. Is the minister going to keep stalling until the next election, or can he tell us when we will have it?

Hon. Mr. Sterling: Mr. Speaker, I would be pleased to answer a question on that if it was posed in question period.

FARMERS' COMPLAINTS

Mr. Riddell: On a point of order, Mr. Speaker: To make it unnecessary for yet another demonstration by the farmers planned for the Legislature tomorrow, the Minister of Agriculture and Food (Mr. Henderson) must surely have a statement to make in the House today.

The Deputy Speaker: That remains to be seen.

ORAL QUESTIONS

The Deputy Speaker: The member for Kitchener.

[Applause].

Mr. Breithaupt: I hope the members will all be there when I need them.

FEDERAL-PROVINCIAL FINANCIAL ARRANGEMENTS

Mr. Breithaupt: Mr. Speaker, I have a question of the Treasurer with respect to the statement he made in the House today. Four of the five recommendations the Treasurer made call for increased federal spending, and at the same time he has endorsed the federal deficit reduction strategy—indeed he demanded it in his Reaganomics speech in October.

Why does the Treasurer not give the federal government some feasible economic advice instead of seeking some cheap political headlines with threats to pull out of a national income tax system? Does the Treasurer not realize this is the type of inconsistency that is certainly destroying the credibility he has as Treasurer of Ontario?

Hon. F. S. Miller: Mr. Speaker, if that is so, then it is agreed to by at least nine other provinces—in fact in the main by all 10. That was the key point I was making. At that conference, the 10 provinces were united on most issues. One of the things one has to recognize is that we are not inconsistent.

Mr. MacEachen has had great increases in his own revenue because of the oil agreement. Thank goodness for that. At the same time, he has allowed his own personal spending to grow at a large rate and has allegedly had a constraint package at the expense of program transfers to the provinces for health and post-secondary education. We counselled him year after year to show some fiscal constraint. His government not only did not do so, it increased the deficit and debt of this country at a rate never before seen in the history of Canada.

Mr. J. A. Reed: You did too.

2:40 p.m.

Hon. F. S. Miller: Oh, no. At the same time as we were reducing spending below the inflation rate, they were well above. However, there are times in the history of an economy when obviously it is in the interest of the economy to ease up. If one looks at 1975, 1977 and 1980, one will see that we made discretionary changes in Ontario's budget to allow for the fact that the economy had softened. We suggest that is one of his responsibilities.

Mr. Breithaupt: Since the recent report of the Conference Board of Canada shows that Ontario is the sick man of Confederation and that the last two years of the Treasurer's stewardship of the Ontario's economy have confirmed us in tenth and last position, something even he cannot blame on a six-week-old federal budget, what is the Treasurer's reason for suggesting that Ontario has to have its own income tax collection system, which will cost, not his six-year-old figure of about \$35 million, but probably more than \$100 million in startup and administrative costs?

Hon. F. S. Miller: If the honourable member had read the Toronto Sun or whichever paper quoted me, when they asked me a question they very kindly said after it that I had made a wild estimate of the figure. I told them that. I was told earlier today by my colleague that it was closer to \$45 million for the administrative costs of running the program, plus startup costs in the order of about \$10 million, as I recall the figure. It costs us almost that much each year for the program the federal government runs for us, something the member may forget.

On the other side of the coin, can the member sit there and watch the tax incentives for small business people get destroyed simply in the interests of tax harmonization? I have to argue that we at the provincial level must have levers open to us to stimulate our economy. If we cannot convince the federal government that its tax changes are wrong, then I certainly must have that option open.

Mr. Cassidy: Mr. Speaker, since Quebec now pays \$167 million to raise its own taxes, can the Treasurer explain why, this being a larger province, he is anticipating this kind of commitment to be made some time in the spring to raise his own taxes? Why does Ontario not recognize instead that there are 300,000 people unemployed in the province today and bring in a mini-budget now that will put Ontarians back to work over the course of this winter?

Hon. F. S. Miller: Mr. Speaker, the very reason I chose to make a suggestion to opt out of the tax collection agreement, which I did with great reluctance because I believe in the tax collection agreement, was that the federal government itself did more to cause unemployment in one budget than any budget we have seen since Walter Gordon's day.

Mr. Breithaupt: Since the Treasurer has stated that his primary goal in what would amount to economic separatism is to restore these investment incentives, how can he ensure that the burden of introducing the new tax system with new rules would not really fall effectively on the lower- and middle-income families in Ontario? Will it really be those people who are again going to pay for these incentives to others in his proposed system? If he loses revenue by that decision, how will he make that up without further cutting into his health and educational programs?

Hon. F. S. Miller: Mr. MacEachen carefully left the impression that people who had capital gains reserves in their income tax calculations were at the high end of the scale. We did a little run through our computers which showed that two thirds of the people who have that kind of protection in their income tax have gross incomes of less than \$25,000 a year in Ontario. I would also say that in designing any program we would be very careful to see we did protect those people, (a) who invest in our economy, and (b) who have need of protection.

Mr. Peterson: Mr. Speaker, six months ago the Treasurer was admonishing the federal government to cut its deficit—

Mr. Cassidy: That was the final supplementary, Mr. Speaker.

The Deputy Speaker: It was a new question.

Mr. Peterson: This is a supplementary.

Mr. Cassidy: It is a new question.

Mr. Peterson: He allowed it; I want to ask a supplementary to the Treasurer—

Hon. Mr. Ashe: This is the second question.

The Deputy Speaker: The member for Kitchener began with a new question, and the member for London North is now following up with his supplementary.

Mr. Peterson: Thank you, Mr. Speaker. My supplementary question to the minister is this: Six months ago he was advocating that the federal government should cut its deficit. Today in his statement he is saying that major reductions in the federal deficit are inappropriate at this time. In 1980, he had a no-tax-increase budget, as he will recall. When things were far worse, in 1981, his budget of this year had the largest tax increases in modern history in this province.

On the basis of that, does he never wonder why people do not take him seriously as Treasurer of this province or as a spokesman for the financial philosophy of this province?

Hon. F. S. Miller: Mr. Speaker, I am going to have to help the member with those lines because they were not coming out too clearly in that question.

I would only suggest that, had the member had the good luck to attend this conference the last couple of days, he would have found the Ontario position was the lead position of the conference. It was recognized that Ontario was effectively leading the combined provincial attack on the federal budget.

Interjections.

The Deputy Speaker: Order. I would want to go with a supplementary because we had missed the rotation.

Mr. Wildman: Mr. Speaker, when the minister says the other provinces agreed with him, is he saying they agreed to his proposal for withdrawal from the federal tax collection system; or is he saying the rest of the provinces agreed to this kind of fiscal arm-twisting in order to ensure that he gets the federal minister to agree to his position?

Is he aware it costs Quebec three times as much to collect its taxes as it does in Ontario?

Hon. F. S. Miller: Mr. Speaker, it costs them three times as much to do almost anything in Quebec as it does in Ontario. That is one of the measures. Does the member know they have far more civil servants? Does he know what their budget deficit is this year? Come on—\$3 billion plus. Does he know that they are faced with measures from their rating agencies that are going to be traumatic and dramatic in the next few weeks?

INDIAN BANDS COMPENSATION

Mr. Breithaupt: Mr. Speaker, I have a question for the Provincial Secretariat for Resources Development. Today, after seven extensions in three and a half years, the final mediation meeting is taking place between the federal and provincial governments, Ontario Hydro, Great Lakes Forest Products Limited and the Grassy Narrows and Whitedog Indian Bands. Will the minister tell us whether there has been any change in his government's commitment, as confirmed on June 26 by the Premier (Mr. Davis) and on June 29 by the Attorney General (Mr. McMurtry), that all health claims on the \$15 million Great Lakes Forest Products obligation will be covered by this government?

Hon. Mr. Ramsay: Mr. Speaker, with respect to the mediations, I would not like to think that they are definitely over as far as today is concerned. There has been a great deal of progress made; 34 items have been resolved and there are nine outstanding items. It is true that Ontario placed a final offer to the natives that is being mediated today. I really do not think it would be appropriate to outline that offer in the House at this time because the mediation process is still going on.

I will be quite prepared to table Ontario's final offer later this week in the Legislature if the mediation process does break down today.

Mr. Breithaupt: The minister may feel it is inappropriate to table the offer but I will tell the minister that it is not inappropriate. We were told by the negotiators of the Indian bands at noon today that the province had reversed its decision on December 9. It will not include adults; it will cover only children and the unborn. Will he explain why the Indians have been told that in order to receive any compensation adults must sign away their rights to future health care?

Hon. Mr. Ramsay: I would like to redirect

that question to the Treasurer, who was involved in the earlier discussions as to compensation to natives.

Mr. Breithaupt: Who is the minister?

Hon. Mr. Ramsay: I am sorry. I was suggesting that the question be redirected to the Treasurer in respect to the earlier assurances that were given to the natives.

The Deputy Speaker: In the standing orders, it is my understanding that redirections are not always allowed.

Mr. Breithaupt: In case the Treasurer has not heard it, Mr. Speaker, if you wish I will repeat the question.

The Deputy Speaker: Under the circumstances, would you be so kind?

Mr. Breithaupt: Will the Treasurer explain to the House why negotiators for the Indian bands informed us at noon today that the province reversed its position on December 9 and it will not include adults for health care coverage over the \$15-million commitment, as part of the purchase price that was shared between the two companies?

2:50 p.m.

Can the minister explain why the Indians have been told that in order to receive any compensation and to clean this entire matter up, the adults must sign away their rights to any future health claims as the province apparently is not prepared to cover any of these additional claims beyond the \$15 million, even though we were told in the House, not only by the Attorney General but by the Premier, that this was the policy of the government?

Hon. F. S. Miller: Mr. Speaker, my involvement in this stems from a letter given, I think, to Great Lakes Forest Products Limited, signed on behalf of the government at the time the assets of Reed Paper were being purchased. I stress assets, as opposed to the company. At that time there was some grave doubt as to whether tortious—I think that is the word—liability could follow through an asset.

The law was not only a bit vague on that, but there was some concern in the minds of the lawyers advising Great Lakes that the law could be subject to change and that they could, in fact, be responsible for something that no lawyer, at that point, would have foreseen.

It was in the interests of the economy of the province and of the people of Dryden and the whole northwestern area to see the company carry on. Because no reasonable businessman

could take on an unpredictable, unknown responsibility, we gave a letter stating we would assume responsibility for claims arising from the assets charged against them in excess of \$15 million that arose from the purchase. That permitted the sale to go through and the renovation of the industry, and virtually the salvation of a community.

Since then there has been a great deal of interpretation as to what comes first. There have been discussions at a number of levels. My colleague and I have talked with them, and so has the Attorney General. They are being dealt with by very competent lawyers at this point. Because they are in a negotiation stage, I find it best to leave the direct negotiations to people who are in the middle of them rather than interpreting them to the member right now.

Our purpose was to protect both the people and the Indians there against unknown and large costs. I do not see any major change in our position. I know we are now dotting i's and crossing t's in the process as to what various commitments mean. Our intention is to see that costs over \$15 million are borne by the province.

Mr. Breithaupt: On a point of privilege, Mr. Speaker: The Premier of Ontario said on June 26 in this House—and I quote from page 2135 of Hansard, “I think it is fair to state that it is not the intention of the government to limit liability with respect to mercury poisoning.” The Attorney General’s comments were on the same line in a point raised on June 29. I have now asked and I have not received an answer with respect to whether that privilege is still guaranteed or whether the negotiators are correct in having told us that we have not received the right information. Now which is it? It is a simple question, sir.

The Deputy Speaker: I am having difficulty with it on the basis of whether it is a point of privilege. In that light, I will now hear from the member for Lake Nipigon on a supplementary to the question.

Mr. Stokes: Mr. Speaker, I would like to ask the Premier, the Treasurer, the Attorney General, the Minister of Natural Resources (Mr. Pope) and the Provincial Secretary for Resources Development (Mr. Ramsay) if they will go back over the agreement originally signed between Reed Paper, the province and the Islington band to see whether there was not an ironclad commitment made by this government to satisfy any of the legitimate claims of our first citizens

beyond the \$15 million that was adjudged to be the responsibility of the previous company, Reed Paper.

Does the provincial secretary not agree he should get the lawyers out of it and sit down with Mr. Justice Hartt and his tripartite mechanism, and Al Baxter, who has been seconded from the Ministry of Natural Resources, to see what is fair by way of compensation to our first citizens, and accept everything in excess of the indemnity that has been inherited by Great Lakes Forest Products Limited, since he gave an ironclad commitment not only to this Legislature but also to our first citizens over that very serious problem?

Hon. F. S. Miller: Mr. Speaker, since the member mentioned us all, I would now like my colleague to respond.

Hon. Mr. Ramsay: Mr. Speaker, these negotiations are quite complex. If I may correct the record, the Ontario negotiator in this case is Mr. Bob Burgar, and Mr. Burgar rather than Mr. Baxter is dealing with the mediation process we are referring to.

There are actually four different parties involved in these negotiations: Canada, Ontario, Ontario Hydro and Great Lakes Forest Products Limited. It is extremely important that, following the step that is being taken today, the mediation process that is going on today, the native people then in turn—and I understand they are fully prepared to do this—meet with Great Lakes Forest Products to try to straighten out some of these points the member is raising.

Mr. Breithaupt: Mr. Speaker, will the minister inform this House whether the government is committed, without question, to paying the additional amounts as may be needed to resolve the obligations it has to the adult population as well as the children and those unborn in this health concern? Has he given his negotiators instructions to try to cut back and force a settlement to the agreement required of the adults, or is he simply removing that from the negotiation and saying he is going to stand by the obligation that the Premier has made and that the Attorney General referred to? Which is it?

Hon. Mr. Ramsay: Mr. Speaker, as far as my personal knowledge is concerned, and as far as my involvement is concerned in the past three or four months, we are not cutting back on anything. As I say, that is to my knowledge.

IRWIN TOY DISPUTE

Mr. Cassidy: Mr. Speaker, I have a new question of the Minister of Labour with respect to the strike at Irwin Toy which has now gone on for six months and which has been provoked because of the archaic labour legislation in this province.

Is the minister aware of the case of Winnie George, who is one of the strikers there, who gets \$230 every two weeks when she is working but has to pay \$100 for her child care?

An hon. member: Look, here comes Santa Claus.

[Applause].

The Deputy Speaker: Order, please.

Mr. Cassidy: I am telling a story about a strike, Mr. Speaker.

The Deputy Speaker: Order, please.

Mr. Cassidy: I am in order, Mr. Speaker.

3 p.m.

The Deputy Speaker: I am trying to bring you to order. Under the unique situation of having a very distinguished gentleman who is now walking through the chamber, it would no doubt be appropriate for the chair to leave for 10 minutes and resume the debate at an appropriate time. But all things considered in the festive season, and I am sure the distinguished gentleman will be very short and quick as long as all members do not leave a very long list with him as to what they want for Christmas, we will commence now with the question from the member for Ottawa Centre.

Mr. Cassidy: Thank you, Mr. Speaker. Given the fact that the employer, Arnold Irwin of Irwin Toy, is refusing to grant a contract despite the fact—

Mr. Mancini: On a point of privilege, Mr. Speaker: I want to know if the Santa Claus uniform is union-made.

An hon. member: Yes, that is a union suit.

Mr. Cassidy: I can tell you that the occupant of the uniform, Mr. Speaker, is one of the finest defenders of the labour movement that Ontario has known.

My question to the minister is very simple: Given the adamant refusal of Irwin Toy to grant a contract when all that is being asked is a wage that is 10 cents more than the minimum wage in Ontario, will he give a Christmas present to those strikers and bring in first-contract legislation that will ensure they are able to go back to work with dignity and with a union contract?

Hon. Mr. Elgie: Mr. Speaker, if I may first of all comment on the remark made that this province has archaic labour legislation, I do not accept that, and neither do thoughtful people in society. I mean that seriously. I do not know of any person I have talked to who really seriously thinks we have archaic legislation. As a matter of fact, we are looked upon as having model legislation. I do not think the honourable member does himself or the system any service by making charges like that, which are patently not true.

On the issue of Irwin Toy, anyone would be fooling himself by saying we are not concerned about what is happening at Irwin Toy. The member knows that. He knows how long mediators have been involved in that. He knows that a disputes advisory committee was appointed by this minister to try to help resolve the issue. And he knows that, starting Monday, there is an allegation of unfair labour practices being heard before the Ontario Labour Relations Board. He really does not seem to understand that we feel we have achieved in this province, partly through legislation and partly through remedies that the board has been able to fashion, a method of dealing with first-contract disputes which we think is on a par with any place.

The member's view that first-contract compulsory arbitration would solve the problem is one that I know he has held for a few years. There was a time when he disagreed totally with it. Certainly when it was introduced in British Columbia, let me tell him, the British Columbia Federation of Labour stumped the provinces of the west arguing against it. But then they changed their minds.

If one looks at that legislation out there and how effective it is, one finds that very few of those first contracts are renewed in second agreements. What we are saying here is that the legislation that has been introduced to date has produced a dramatic change in first-contract climate and negotiations and that we feel the board is now fashioning remedies that put us on a par with any province in this country.

Mr. Cassidy: Since the minister refuses to bring in first-contract legislation and since his government's labour laws have failed to get jobs back and to get those workers back to work now for six months, will the minister and the government demonstrate their concern for the strikers at Irwin Toy by declaring an official government of Ontario boycott on Rubik's Cube, Atari electronic games, Strawberry Shortcake dolls, Stomper trucks, the products of

Kenner, Tyco or the Ideal Toy Company, Slinky, Transogram, Star Wars models and all of the other products made by Irwin Toy, until the women can go back with a decent contract?

Hon. Mr. Elgie: I know the member for Ottawa Centre does not agree with me when I say that the position of the Minister of Labour is to make sure that the mechanisms are in place to deal with unfair labour practices. Such an allegation is being heard by the board next week, and I do not intend to comment further on it.

Mr. Wrye: Mr. Speaker, given the fact that the problem in getting first contracts seems to involve an inordinately large number of lowly paid female employees, not just at Irwin Toy but also on previous occasions at Fleck Manufacturing in Centralia and K mart in Windsor, surely the minister must understand by now the need for some changes in legislation or some changes in the ministry's attempts to get first-contract bargaining in these disputes.

What kind of changes do they propose which will allow these disputes to be peaceably settled and which will not allow these kinds of long strikes?

Hon. Mr. Elgie: Mr. Speaker, the honourable member knows that the number and variety of first-contract disputes involve a great number of citizens. I am surprised that he considers there is a sexist element involved in it. The Labour Relations Act was not drafted to deal with particular sexist problems. It was to deal with problems all people were having, and that is what it is doing.

The member and I have had discussions about this before, and he does not seem to be able to come to understand that if one does accept the principle of first-contract compulsory arbitration, there is a necessary consideration before implementing that to have an element of bad-faith bargaining. What I am saying to the member is that if there is bad-faith bargaining found by the Ontario Labour Relations Board next week—

Mr. Martel: Oh, come on. Get serious.

Hon. Mr. Elgie: I cannot predict what they will do, but in the past in the face of those findings, if they so find, they fashioned remedies. I have that kind of confidence in the labour relations system in this province, and so should the member.

Mr. Mackenzie: One final supplementary—

The Deputy Speaker: Order. I wish to bring to

the attention of the honourable member that under standing orders, traditionally, hats are not to be worn in the Legislature.

Mr. Kerrio: And that ain't no Santa Claus.

Mr. Mackenzie: In all seriousness, Mr. Speaker, I want to suggest to the minister that it might pay him as Minister of Labour to take a little trip out to the picket line at Irwin Toy and talk to the very good men and women who have been in that long, hard strike out there and to see what they think about this wonderful legislation he talks about. Maybe he could have a little personal talk with some of them about what they are going through in trying to establish a first contract. I invite the minister to go out to the picket line at Irwin Toy.

Hon. Mr. Elgie: Mr. Speaker, this minister has not hesitated in the past to talk to strikers and other workers about a variety of issues. I think the honourable member realizes that if a matter is before the labour relations board, this minister has an obligation and that obligation will be fulfilled.

FEDERAL BUDGET

Mr. Cassidy: Mr. Speaker, I have a new question for the Treasurer about that other Christmas present, which was introduced a couple of weeks ago, the cut in the maximum rate of taxation from 65 per cent to 50 per cent for people earning more than \$25,000 in taxable income per year.

Can the Treasurer explain why it is that all of this government's objections to the federal budget concentrated on loopholes that were mainly of benefit to people earning more than \$50,000 a year? Specifically, in terms of the limit on deductibility of interest costs, which the minister now wants to take away and to restore that loophole, 31 per cent of the benefit of that goes to people earning more than \$50,000. In terms of income averaging, 21 per cent of the benefit goes to people earning more than \$50,000. For income averaging annuities, 87 per cent of the benefit goes to people earning more than \$50,000 a year.

Why did the minister seek to restore those loopholes for people in the upper-income brackets and not say a word about the huge tax cut for people in the upper-income brackets which brought their tax rate down to 50 per cent? Why did the minister not propose restoring that rate of taxation and giving a tax cut to ordinary Ontarians instead?

Hon. F. S. Miller: First of all, Mr. Speaker, I completely agree with the tax reduction to an average rate of 50 per cent at the marginal level, for the simple reason that when tax rates get up around 65 and 70 per cent, there is a lot of tax avoidance by illegal means. It is a simple question of collecting more tax and keeping a more honest tax system and, secondly, leaving the persons with the marginal rates some reason to carry on making investments in this country.

3:10 p.m.

The honourable member talked about income averaging annuities as being something for only the very wealthy, but the truth is that one only buys an income averaging annuity in a year when one's income is high. That is the purpose of it. If one has just sold a farm that one has worked all one's life for and made a \$100,000 capital gain, then once in a lifetime, once in 20 years perhaps, one obviously has the right to spread that out over a number of years through some device like that. That is what it is aimed at: one-shot income. It is not for people who, on average, have high incomes. There would be no reason to use it if, on average, one's income were high. The member knows that. He could not have been a member of the Financial Times staff without understanding that kind of logic.

The honourable member says the tax loopholes were "for people on a high-income level." Is it true that the average person who buys a life insurance policy with a saving element is at the high-end? Of course it is not. They are people who for one reason or another may find it difficult to discipline themselves to put money in a savings account and find it safer to put it into a life insurance policy with a savings element. Is the member going to tell me they should be taxed before they get the income from their investment? I think the member is on the wrong wicket.

Mr. Cassidy: I was around long enough in the financial game, before I was here, to know that when a Treasurer comes in making that kind of claim, he is putting widows and orphans to the front to defend tax privileges for people who are wealthy. That is what the Treasurer is doing.

Why has the Treasurer focused on the loophole with respect to capital gains reserves and asked that go back, when 55 per cent of the benefit with respect to capital gains reserves goes to people who are earning more than \$50,000 a year and who have only four per cent of the employment income in the country?

Why is the Treasurer so intent on giving

loopholes to people in high brackets and then doing nothing about the tax cuts that they got and that ordinary Ontarians did not get in that budget?

Hon. F. S. Miller: I taught school for nine years and I have recognized that not everyone learns the lesson the first time around. Let me try to go through the lesson once more.

If a person is using what the member calls a loophole, that is, the right to spread income over several years, no matter whether it is income averaging annuity contracts or capital gains provisions, it is because his income will not stay at the high level it was at in the year of taxation. It is as simple as that. If one is consistently going to have a high income, it does one no good to do that.

Mr. Cassidy: Can the minister explain all this concern he has voiced on behalf of middle-income Canadians to the point where he is threatening to withdraw from the federal tax system and have an Ontario personal tax system instead?

What does the Treasurer mean, when the budget he introduced last spring specifically raised Ontario health insurance plan premiums, the gasoline tax and the personal income tax and hit the middle-income Ontarians the Treasurer says he is out to protect? How can he be so hypocritical as to say he will have his own income tax system when he did last spring exactly what he is accusing Mr. MacEachen of doing this fall?

Hon. F. S. Miller: I have a responsibility, which the member and the Socialist party would never accept, to try to bring in as much money as I spend. Therefore, I have to use the gamut of taxes to do that. I only change nominal rates when I need to meet spending requirements. The federal government in this budget has chosen to increase my cash requirements by cutting my transfers. I think that is counterproductive.

HAMILTON RAPID TRANSIT DECISION

Mr. Mancini: Mr. Speaker, I have a question for the Minister of Transportation and Communications. The Hamilton-Wentworth regional council has turned down the Urban Transportation Development Corporation proposal for an intermediate-capacity transit system by a vote of 18 to eight. The system was described by many members of the Hamilton-Wentworth council as being very premature, costly and disruptive and as a system searching for a reason to exist.

Can we assume that the minister will use the \$111 million allocated for that project in the Hamilton area to improve local transit service and to improve GO rail service between Hamilton and Toronto?

Hon. Mr. Snow: No, Mr. Speaker.

Mr. Cunningham: Mr. Speaker, why does the minister prefer to leave the misconception with the chairman and members of regional council that if they did not accept his rather gratuitous offer of this system, which they did not want and which they rejected last night, they would not have any transit money in the future, notwithstanding the fact that Bill 53 standing on the Order Paper in his own name would increase the subsidy to 90 per cent for the capital costs of electrified buses? Why would the minister leave that misconception with those people?

Hon. Mr. Snow: Mr. Speaker, with all due respect, I did not leave that misconception with anyone.

Mr. Breithaupt: What misconception did the minister leave?

Hon. Mr. Snow: I did not leave any misconception, I say to the honourable smart aleck who would like to be leader.

Interjections.

Hon. Mr. Snow: Is that unparliamentary, Mr. Speaker? If it is, I will withdraw it. I do not think it is.

There was absolutely no misconception like that. As I have said, and as the member has just pointed out, and as I said to numerous members of the media last night around midnight and this morning—

Interjections.

The Deputy Speaker: Order. The minister has the floor.

Hon. Mr. Snow: The special program funding that was offered for the intermediate-capacity transit system was specifically for an ICTS project. This government will continue to meet the needs of the regional municipality of Hamilton-Wentworth for its transit systems under our normal subsidy program. When the bill on the Order Paper is passed, I hope tomorrow, one of these will be a special subsidy of 90 per cent for electric trolley buses. But that funding will come from the normal municipal transit vote of my ministry's budget.

Mr. Foulds: Mr. Speaker, with this concern over ICTS, can the minister tell us why the Urban Transportation Development Corporation made the determination that the vehicles

for ICTS would have to be finally assembled and manufactured in the Kingston area, thus precluding the manufacture of ICTS vehicles anywhere else in the province?

Mr. Smith: That is not a supplementary.

Mr. Foulds: It is tied in to his answer.

Hon. Mr. Snow: With all due respect, Mr. Speaker, I answered that question. In any case, it is not a supplementary question to the original question.

The Deputy Speaker: Order. Let us start from scratch. Let us hear the member for Port Arthur again, and then I will make a ruling on whether it was a supplementary.

Mr. Foulds: Mr. Speaker, a supplementary question may arise out of the answer of the minister as well as out of the original question. The minister himself in answering the question referred to the ICTS; therefore, I asked why, in their determination to build ICTS vehicles, the ministry and UTDC had decided those vehicles would be assembled and built in Kingston, and not anywhere else in the province, thus precluding the building of that kind of future transit car from any other existing facility in Ontario.

The Deputy Speaker: We are stretching it, but does the minister have a response?

Hon. Mr. Snow: Mr. Speaker, as the honourable member knows—I believe he sat through five hours of meetings yesterday, and I was there for two and a half hours of those meetings—this matter was discussed a great deal. It was fully explained to him by the chairman of the board of directors and the president and the board of directors of UTDC why that corporate decision was made. The details leading up to that decision were also explained to him by the Premier (Mr. Davis) and myself at the meeting yesterday afternoon. It so happens the Hawker Siddeley company did make a submission but, of the five submissions for the development of these cars, it was not successful. That is the long and the short of it.

3:20 p.m.

Mr. Mancini: Since the ministry and the UTDC firmly believe that transit service in the Hamilton area must be improved, and that must be one of the reasons why they wanted to go ahead with this particular project, why would the minister reject, out of hand, any other suggestions coming from Hamilton for an efficient, cost-conscious people-mover? Why would he be so intransigent and stick with this particu-

lar proposal when the real end of the whole system should be to move as many people as efficiently as possible?

Hon. Mr. Snow: I must answer that, because first of all I have rejected nothing out of hand that Hamilton has proposed.

Mr. Mancini: You rejected my first question. You said no.

Hon. Mr. Snow: I answered the honourable member's first question with a blunt "no" when he asked whether the money committed for the Hamilton ICTS project would be used for other projects. My answer to that is, as I have said many times, that the regional municipality of Hamilton-Wentworth gets funding on a normal basis for 75 per cent of its capital costs. They get funding for their operating costs. They have capital plans that they present to my ministry on an annual basis.

I know they are planning a new transit garage to be built over the next two or three years, I believe. They will be buying additional buses, I am sure, as each transit system is doing. That will be funded out of our normal transit program. It has nothing to do with the special funding that was allowed for the ICTS.

WHITCHURCH-STOUFFVILLE WATER QUALITY

Mr. Charlton: Mr. Speaker, I have a question for the Minister of the Environment. In response to test results released by the citizens of Stouffville yesterday, results of tests that were done privately and paid for by those citizens, the minister said the water in the Stouffville area was still perfectly safe.

In view of the fact that those test results clearly showed significant quantities of dangerous contaminants moving out of that dump site which have not been detected by his ministry in its monitoring program; in view of the fact that the citizens have documented serious health difficulties in a number of families along the route that those contaminants are taking; in view of the fact that last Thursday his staff told us, and he concurred, that his test results indicated a declining level of migration of chlorides and sulphates out of that dump site, and these test results show the opposite—

The Deputy Speaker: The question is?

Mr. Charlton: Is the minister now prepared to close the dump at Stouffville and do whatever is necessary to stop all movement of contaminants out of that dump site?

Hon. Mr. Norton: Mr. Speaker, I do not know whether the honourable member has had an opportunity to look at the report of the tests for the citizens' group that were done by Advanced Environmental Systems Incorporated in the United States. I have, and if he would look at those results carefully and compare them with the earlier results of similar tests done by, probably the same laboratory—I do not know that, because I did not see the actual copy of the report of the earlier tests, nor did the individuals divulge the name of the laboratory to us, but I assume it was probably the same laboratory that did the earlier tests—he would see that they confirm what we have been saying all along about the tests that were being used.

He will recall that the earlier series found what the citizens believed to be elevated levels of organo-halogens in two wells; one was the Hutchinson well, I believe, and the other was the Coughlan well, with the Hutchinson well having 31.4 parts per billion and the Coughlan well having 50.2 parts per billion of organo-halogens. If he reads the report, he will see that even the individual who does the tests and comments on the report in the discussion section indicates it is merely a new methodology and it is one of the survey parameters used for monitoring well samples as an indicator of ground water contamination.

The Deputy Speaker: Supplementary?

Hon. Mr. Norton: Mr. Speaker, I have not finished my answer. This is a serious question the honourable member has asked.

If we look at those earlier results and compare them with this, we will find that in these tests the Hutchinson well is barely at the level of detection of the tests, much lower than the earlier tests indicated, and the Coughlan well has no detectable level in these tests.

We have maintained throughout that this series of tests is not of much value but that the tests we do, where we go into much greater depth and detail for specific contaminants, and where nothing has been indicated, are the next step after the screening tests. This confirms what we have said from the very beginning.

Mr. Charlton: Everybody is clear that these tests are indicators. The minister is taking them as indicators of nothing. Last Thursday, his ministry clearly said that levels of contaminants coming out of that dump site were declining. These test results clearly indicate the opposite. The minister has said there were no wells in the area anywhere near the limit for chloride, for

example. We now have one over and one just below. The toxic test results indicate contaminants coming out of the dump.

The Deputy Speaker: Order. Can you two not get this sorted out outside of question period? It is a very important question, but we have had a long dissertation from the minister and now we are having a long dissertation from the member and still no question.

Mr. Charlton: If there are no problems and the minister is so sure, why in the case of the Hutchinson well, for example, was he denying yesterday that anybody had warned him against drinking the water? The letter from the health officials clearly told him he should not use the water. Since the ministry was saying last week that levels were declining, why do these test results indicate increasing levels? The minister is still ignoring that fact. Why is he not prepared to look at what the people are asking?

The Deputy Speaker: The question is "why?"

Hon. Mr. Norton: The answer is "because."

The honourable member does not understand what he is talking about. I will acknowledge that my response last week or earlier this week, whenever it was, on the contents of the letter from Dr. Slingerland, was based upon a telephone conversation.

At that time, I had not seen the letter. I was told in that conversation his advice was that they restrict the consumption of water. I have since seen a copy, and he does advise them for the time being not to consume the water. I agree that is what Dr. Slingerland communicated in writing to that one family.

I will provide the member with a copy of that letter if he does not have one. Dr. Slingerland goes on to indicate to the Hutchinsons that the tests are indicator tests and what is required beyond that are more specific tests for specific contaminants.

That is precisely what we have been doing all along. We have done literally thousands of tests with the most sophisticated equipment in the world, and there has been no indication of those specific contaminants. We will continue to test as required.

CAR TAX REBATES

Mr. Robinson: Mr. Speaker, I have a question for the Treasurer. Some weeks ago, the Treasurer announced in this House a program whereby the Ontario sales tax would be rebated on

stockpiled 1981 motor vehicles. Will the Treasurer report to the House on the success of that program?

3:30 p.m.

Mr. Smith: Oh, so he can make a statement. That is an abuse.

Hon. Mr. Grossman: Good question.

Hon. F. S. Miller: It is better than most I get from that side.

Mr. Speaker, the answer to that question is that while the data is not yet totally in, about 27,000 plus vehicles were sold in the 23 days, something close to 65 per cent of the inventory in Ontario, as compared with 25 per cent in other provinces.

Mr. Robinson: By way of supplementary: I would further ask the Treasurer whether or not the substantial sales figures recorded on 1981 vehicles during this fall period are predicted to have any adverse effects on the 1982 model year, whether on jobs, production or the sales forecasts?

Hon. F. S. Miller: We probably received more letters of thanks on this program than on any other I have run since I became Treasurer.

Mr. T. P. Reid: Imagine how many you will get when you retire.

Hon. F. S. Miller: The interesting thing is that the sales of 1982 cars in Ontario during that period were better than they were in any other province, which shows a basic fact of retailing: if one gets people into the showroom, one will make a sale. I have been told in many letters—and I think members on that side of the House must have received some too—

Mr. Bradley: None.

Mr. T. P. Reid: I got a lot of complaints.

The Deputy Speaker: Order.

Hon. F. S. Miller: Two or three members opposite have privately told me they did.

Mr. Smith: Those were from Quebec.

Mr. T. P. Reid: One guy is going to sue.

Hon. F. S. Miller: But many on this side of the House did. How many of my members received letters?

Interjections.

Hon. F. S. Miller: See what I mean?

The Deputy Speaker: I think we have got the point.

Mr. Smith: Will the Treasurer tell us how many imported cars were sold under this program? Can he also tell us how many cars

were brought in to the great relief of dealers in Quebec and other provinces of this country? Did he receive any letters of thanks from the dealers in Quebec who had their lots cleared at the expense of Ontario's taxpayers?

Hon. F. S. Miller: Mr. Speaker, I think of Canada as one country and I am rather pleased to be able to help another province. It happens that virtually every vehicle made in Canada is made in Ontario and the member knows it.

Mr. Smith: You are bringing in your own income tax. If it is one country, why are you doing that?

Hon. F. S. Miller: The answer to the first part of his question is while there were 27,000 domestic cars sold in Ontario, probably 2,000 to 2,500 imports were sold.

The Deputy Speaker: The time for oral questions has expired.

Some hon. members: There are five more minutes.

The Deputy Speaker: Five more minutes? I am sorry, five more minutes.

Mr. Roy: You should add on five minutes for this foolishness.

CORPORATE CONCENTRATION

Mr. T. P. Reid: Mr. Speaker, I also have a question for the Treasurer and it is in regard to corporate concentration. Is the Treasurer, who is also responsible for the economic life of Ontario, concerned about the number of corporate takeovers in the last few years? Since 1977 there have been a total of 99 corporate takeovers, with a total value of \$24.9 billion, which are listed on the Toronto Stock Exchange 300 composite index.

Is the minister not concerned that these takeovers do not do anything for the productive facilities of the province, create no new jobs and no new wealth? As has been pointed out by my colleague, in some cases they are raids on treasuries of corporations that are doing well. Is he prepared to bring in, along with his colleague, any regulations and guidelines in regard to corporate concentration in Ontario?

Hon. F. S. Miller: Competition lies in the domain of the federal government. They have been considering it lately. This province has taken a very positive stand in response to the federal government's intention to take actions in restraint.

In the main we believe more restrictions on competition are counterproductive. We are

seeing reorganizations that are quite often necessary if Canadian companies are to survive, because we are in an age when it is very often necessary to lump companies together to do just that. I saw one occur today in western Ontario. I think it was the George White and Sons Inc. machinery company and the McKee Industries Limited machinery company that came together to survive. Those kinds of things should be welcomed.

Also, Canadians have been very active in taking over foreign assets in the last while.

The third thing is that the share prices on the marketplace today for many firms, like Suncor, are far below the replacement value of the asset. Therefore they make those firms very good buys for companies that want to expand.

Mr. T. P. Reid: Supplementary, Mr. Speaker: A lot of these corporations are controlled by people like the Reichmans, the Bronfmans, Thomson and Argus. A lot of corporate concentration is in the food industry, the newspaper industry, and particularly industries that are not necessarily international in scope and perhaps require a larger corporate body; is the minister not concerned that these corporate takeovers in Canada and Ontario are counterproductive?

Hon. F.S. Miller: Again it is my understanding that the existing laws do have tests that can be used. Admittedly they do not result in many judgements being handed down. Maybe that is a good thing. Maybe the tests are fair and the accusers are a bit aggressive.

Mr. Smith: Supplementary, Mr. Speaker: Why does the Treasurer not recognize that billions of dollars are being loaned by banks in order to finance these corporate takeovers? In a time of inflation, when the idea of high interest rates presumably is to cool borrowing, does he not realize that while he criticizes governments for borrowing heavily on the market to finance their deficits the impact of corporations borrowing for no productive purpose other than a takeover is every bit as important in terms of the effect on inflation and the interest rate? Why is the Treasurer criticizing governments for borrowing on the market but not large corporations—in this instance for nonproductive purposes, merely for takeovers?

Hon. F.S. Miller: Many of the takeovers do not involve cash and I am sure the member knows that. They involve trades of shares of one corporation with another. It also happens in many cases the vendor receives cash that immediately goes back into the banking system. So I am not as upset about it as the member is.

URBAN TRANSPORTATION DEVELOPMENT CORPORATION

Mr. Foulds: Mr. Speaker, I wonder if the House leaders could have their meeting in some other location.

I would like to direct my question to the Minister of Transportation and Communications. It has to do with the background information that was supplied to the board of directors of Urban Transportation Development Corporation for the meeting yesterday with the officials from Thunder Bay, but not supplied to the delegation that came down from Thunder Bay.

UTDC expressed some concern over the quality control program at Hawker Siddeley and Hawker Siddeley offered to go over the system with UTDC. They said they would "consider any modifications or refinements that you," UTDC, "may wish to propose." Can the minister say whether UTDC did propose to Hawker Siddeley refinements and improvements in their quality control program?

Hon. Mr. Snow: UTDC was not responsible for writing the proposal put in by Hawker Siddeley. All UTDC could do was assess the proposals that were received from the five companies involved on the basis of submissions that were put in.

Mr. Foulds: Supplementary, Mr. Speaker.

The Deputy Speaker: Time for oral questions has now—

Mr. Foulds: It is very urgent.

The Deputy Speaker: I know it is, but time has expired. I appreciate that the member for Port Arthur sees this as urgent but time for oral questions has overexpired.

3:40 p.m.

REPORT

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Barlow from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bills with certain amendments:

Bill 156, An Act respecting the City of Barrie and the Township of Innisfil;

Bill Pr45, An Act respecting the Armenian Community Centre.

Your committee would recommend that the

fees less the actual cost of printing be remitted on Bill Pr45, An Act respecting the Armenian Community Centre.

Report adopted.

The Deputy Speaker: Shall Bill 156 be ordered for third reading?

Ordered for third reading.

MOTIONS

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Hon. Mr. Wells moved that standing order 72(a) respecting notice of committee hearings be suspended for the consideration of Bill Pr21, An Act respecting the Trusteeship of the Balance Share Warrant of Global Natural Resources Limited by the standing committee on administration of justice on Thursday, December 17, 1981.

Motion agreed to.

CONCURRENCE IN SUPPLEMENTARY SUPPLY

Hon. Mr. Wells moved that any orders for concurrences in supplementary supply be included in the order for concurrence in supply for that same ministry.

Motion agreed to.

INTRODUCTION OF BILLS

MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS STATUTES REPEAL ACT

Hon. Mr. Walker moved, seconded by Hon. Mr. Drea, first reading of Bill 201, An Act to repeal Certain Statutes Administered by the Ministry of Consumer and Commercial Relations.

Motion agreed to.

Hon. Mr. Walker: Mr. Speaker, I believe my statement at the opening of the session is sufficient. I will be glad to read it again if members wish.

MORTMAIN AND CHARITABLE USES REPEAL ACT

Hon. Mr. Walker moved, seconded by Hon. Mr. Drea, first reading of Bill 202, An Act to repeal the Mortmain and Charitable Uses Act.

Motion agreed to.

Hon. Mr. Walker: Mr. Speaker, I am introducing for first reading in a moment an Act to amend the Corporations Information Act, which

flows from the act we have before us at present, which is the concurrent amendment to the bill that repeals the Mortmain and Charitable Uses Act. The amendment repeals subsection 3(6) of the act so that the corporations will no longer be required to file information notices simply because they hold a licence in mortmain.

There are two housekeeping amendments as well. There is a clarification regarding the use of the words "limited," "incorporated" or "corporation." It eliminates any apparent conflict between the Corporations Information Act and the Business Corporations Act. The amendment makes it clear these words may only be used as part of a proper corporate name.

The second housekeeping measure clarifies the intent of the section of the Corporations Information Act which deals with information notices. It requires that only the latest information notice be retained by a corporation. Consistent with that statement, and married to a large extent to the Mortmain and Charitable Uses Act, I will introduce a bill.

CORPORATIONS INFORMATION AMENDMENT ACT

Hon. Mr. Walker moved, seconded by Hon. Mr. Drea, first reading of Bill 203, An Act to amend the Corporations Information Act.

Motion agreed to.

CHARITIES ACCOUNTING AMENDMENT ACT

Hon. Mr. McMurtry moved, seconded by Hon. Mr. Wells, first reading of Bill 204, An Act to amend the Charities Accounting Act.

Motion agreed to.

Hon. Mr. McMurtry: Mr. Speaker, this legislation is complementary to the bill to repeal the Mortmain and Charitable Uses Act. In 1974, my predecessor the member for Brock (Mr. Welch) wrote to the Ontario Law Reform Commission requesting it to undertake an examination into the utility of the Mortmain and Charitable Uses Act and the Religious Institutions Act. The recommendations of the commission on religious organizations have been implemented by the Religious Organizations' Lands Act, 1979. The bill I am introducing today I believe completes the implementation of the commission's report.

Some of the laws in this area date back to feudal times and beyond. The Mortmain and Charitable Uses Act, as it now stands, is complicated, its terms often conflict and it is little understood by the legal profession itself.

The Mortmain and Charitable Uses Act consists of two separate though closely related parts. The first part concerns the law of mortmain which has to do with the ownership of land by a corporation, whether charitable or not. Basically, these provisions prohibit the holding of land by corporations in perpetuity unless they are authorized to do so by statute or licence. Where they are not so authorized they may obtain a licence in mortmain under the act.

The Ontario Law Reform Commission and the Ontario select committee on company law recommended the mortmain provisions be repealed and the government concurs. However, at the same time, it is necessary to provide some control on land holding by charities to ensure that charities are not used as investment vehicles.

Under the bill to amend the Charities Accounting Act, the public trustee may take action to register a notice against the land of a charity if it is of the opinion the land is not being used and occupied for the charitable purpose for three years, is not required for use and occupation for the charitable purpose, and will not be required for use and occupation for the charitable purpose in the immediate future, although the land remains the property of the charity unless the public trustee takes such action. Where he does so, the land vests in him. The public trustee will then sell the land and apply the proceeds of sale to the charity.

It is further provided that land that has been vested in the public trustee under the existing act which has not been sold will be deemed to have remained the property of the charities or their trustees. This validates the title of third parties to land conveyed to them by charities which lack the title to convey.

3:50 p.m.

CULTURAL, MULTICULTURAL AND RECREATIONAL COUNCIL OF ONTARIO ACT

Mr. Grande moved, seconded by Mr. Wildman, first reading of Bill 205, An Act to establish the Cultural, Multicultural and Recreational Council of Ontario.

Motion agreed to.

Mr. Grande: Mr. Speaker, the bill creates the Cultural, Multicultural and Recreational Council to deal with the profits of Wintario and promote cultural, multicultural and recreational activities.

ORDERS OF THE DAY

CREDIT UNIONS AND CAISSES POPULAIRES AMENDMENT ACT

Hon. Mr. Wells, on behalf of Hon. Mr. Walker, moved third reading of Bill 151, An Act to amend the Credit Unions and Caisses Populaires Act.

Mr. Roy: Mr. Speaker, I just want to make one comment on Bill 151. I must confess to a certain degree of unpreparedness, but I trust this legislation will give the powers that be authority to intercede when necessary in certain of these institutions before members—or at least those involved—start to panic and get concerned about the administration of some of these institutions.

I see the former Minister of Consumer and Commercial Relations (Mr. Drea) in the Legislature. I think he is one member in this House who knows what I am talking about. In these very difficult financial situations some of these caisses populaires and credit unions have unfortunately encountered very serious problems.

I am not convinced ministry officials were all that helpful at times, in the sense that they gave proper guidelines for investment of assets of these institutions and guidelines for what to do because of radical changes in interest rates. Consequently, some of these institutions—some right in my riding, one especially—ran into serious financial problems. I find that unfortunate.

With the power given in this legislation, I trust the ministry people will accept their responsibility to keep an eye on these institutions and be of some assistance when necessary. I trust they will have in mind as well, when it is necessary to give the body that is created by the legislation—the body that is going to supervise should there be a problem—the authority to move in when they think it is necessary, that the body will not have to wait too long and let too much damage happen.

I am pleased this legislation has come forward. The reason I am speaking on third reading is because yesterday on second reading I was involved in other legislation which I find extremely offensive and which is now before a committee—

Mr. Nixon: You will make a speech about that too.

Mr. Roy: Yes, there will be a further speech about that— with considerable more enthusi-

asm, I might add. Mr. Speaker, I thank you for the opportunity to have the chance to say a few words on this legislation.

Motion agreed to.

CONCURRENCE IN SUPPLY, MINISTRY OF COMMUNITY AND SOCIAL SERVICES (concluded)

Resuming the adjourned debate on the motion for concurrence in supply for the Ministry of Community and Social Services.

Mr. Cooke: Mr. Speaker, I think I was in the middle of what I was saying last night and the honourable member caught me off guard. I would just like to finish my comments about the mental health facilities in southwestern Ontario for children and ask that the Minister of Community and Social Services reply.

Last week, when I raised the case of the 14-year-old girl in Windsor who could not find appropriate placement, the minister seemed to indicate, as I said last night, that St. Thomas Psychiatric Hospital for adults was an appropriate setting. I want to go through some of the comments made by some of the professionals in Windsor who have dealt with the case so that the minister might be better informed about the case and may better understand it.

Let me begin by reading from an article in the Windsor Star on December 9, 1981:

"Directors of local agencies say the case of 14-year-old Mary Bulat is just one glaring example of inadequate social and medical services for mentally disturbed youngsters in the area.

"Dr. James Johnson, director of the regional children's centre and a psychiatrist says, 'This case simply reveals that we don't have any reasonable facilities for people under 17 who need long-term care' . . ."

"Johnson said the centre has sent two other severely disturbed children to the hospital in the last nine years because no other treatment could be found. 'The first one was a teen-age girl and, to my knowledge, she is still there,' he said."

Just for the minister's information, she was sent in 1972 at the age of 15 or 16, and is now in her mid-20s and still resides in the hospital.

"The children's centre," and we are referring here to the regional children's centre, "only provides long-term care to emotionally-disturbed children under 12 years of age.

"The centre, which closed 14 beds after provincial budget cutbacks in 1979, does not

offer any residential care to emotionally-disturbed girls older than 12. Younger girls and boys up to 16 are admitted for a maximum of only about seven months.

"The centre, which provides the most complete child assessment services in Windsor, currently has a waiting list of 300 waiting for treatment and assessment."

The article goes on to say—and all these statistics are right from the regional children's centre:

"In a needs assessment report that came out earlier this year, the children's services committee found that one child had waited 1,244 days for psychological help and the services of a social worker from the centre. It also reported the following average waiting periods: 380 days for outpatient psychological help for behaviour and emotional problems, 339 days for outpatient psychology for academic problems, 339 days for outpatient psychiatry for speech and language difficulties, and 303 days for outpatient social work and family problems."

These are the waiting lists for the tri-county area which includes Kent county, Lambton and Essex county for children who need services at the regional children's centre.

"The community no longer has long-term residential facilities for severely disturbed young teens," Johnson said. "Since this situation," and they are referring here to Mary Bulat, "'was severe and there were medical and psychiatric problems involved, we were unable to handle it,' Johnson said."

These are quotes from Dr. Johnson that contradict what the the Minister of Community and Social Services said last week. "Attempts to place the child at London Psychiatric Hospital, and the London Children's Psychiatric Research Institute also failed, he said."

It goes on to say that I criticized them for not using the hard-to-place committee, which I did. Johnson's rebuttal to that was, "But Johnson said he had already talked to officials from all the agencies on the committee and was unable to find a suitable facility."

"She was sent to St. Thomas as a 'last resort,' he said. Agency officials say the case illustrates the effects of an inadequately funded and poorly co-ordinated system of children's services in Essex county."

4 p.m.

"Art Vossen, director of Maryvale and a member of the children's services committee, said city hospitals have facilities for adult psychiatric patients but that the lack of suitable

programs for adolescents had long been a problem. 'What do you do for a 14- or 15-year-old?' he asked. 'If you attempt to have them managed in foster or group homes, you're doing them a disservice if they're not set up appropriately.'

"John MacNeil, director of the children's services committee, also said the city lacked long-term facilities for severely disturbed patients."

"Dr. Johnson said funding cutbacks by the Ontario Ministry of Community and Social Services have made it more difficult to provide adequate treatment to people needing the services of the regional children's centre. 'We're making acute problems more serious simply because we can't handle them,' he said."

"With an uncomprehensive patchwork of child services variously funded by ComSoc and the provincial Health ministry, the centre is unable to meet the demands put upon it."

The only point I would make is the minister tried to indicate last week there was no problem and tried to indicate this child was appropriately placed in an adult psychiatric centre. I phoned the psychiatric branch of the Ministry of Health and they told me one aspect of St. Thomas Psychiatric Hospital was assessment of adolescents. They also made it very clear to me that the only time assessments were to be done at St. Thomas was when it was a last resort and no other facility was available, because it is an adult psychiatric centre. They also pointed out they do not have a program for adolescents.

Hon. Mr. Drea: They want to know who you talked to.

Mr. Cooke: The minister can say there is a program, but if he calls drug therapy and some craft recreation therapy a program, he is contradicting what the people at the hospital and the people in the psychiatric branch of the Ministry of Health have told me.

Hon. Mr. Drea: They want to know who talked to you.

Mr. Cooke: They might want to know who talked to me, but the minister can talk to people from the office of the Minister of Health (Mr. Timbrell) or anyone else at the hospital.

Hon. Mr. Drea: Who did you talk to at St. Thomas?

Mr. Cooke: I have the names and will give them to the minister, but I am not going to read them into the record. That is not the point. The minister pointed out to me last week in his statement that the program there was a recreation program and drug therapy. That is not a program of therapy.

For what conceivable reason did this young girl need to be assessed again? She has been assessed for five years. Her problems are clear. The reason she was sent there by Dr. Johnson—maybe the minister should talk to Dr. Johnson—was there was simply no alternative looked into. If the hard-to-place committee should have been used, it should have been used. As the minister knows, that case has now been referred to the interministerial committee in Toronto to look at an appropriate placement for the child.

Also, the children's services committee decided last week that it was setting up a task force to look at a facility that would be for this type of child.

Hon. Mr. Drea: No, that is not correct.

Mr. Cooke: John MacNeil told me that and it was also reported in the local media after the meeting dealing with this child. The fact of the matter is the professionals who were quoted here, Art Vossen, Dr. Johnson and Mr. MacNeil from the children's services committee, all point to the problem.

There are other problems. There will be other cases that will be raised in this Legislature before we adjourn. I hope the minister, instead of looking at this as a political battle, will admit there is a problem that needs to be addressed by providing a facility for children who have serious psychiatric problems. It is not appropriate or good enough to put them in an adult psychiatric centre.

Mr. McClellan: Mr. Speaker, I do not intend to take more than a minute or two if I could have the minister's attention—

Hon. Mr. Drea: That's a cheap shot. I am trying to sign an autograph for the kids.

Mr. McClellan: I did not mean it as a cheap shot.

The Acting Speaker (Mr. Cousens): The member for Bellwoods has the floor. The Speaker is all ears.

Mr. McClellan: There was a time in this Legislature, not that long ago, when the referral of a child to an adult psychiatric facility was regarded as a major scandal.

I can recall back in 1976—I pulled some material out of my files—a child was referred to the adult ward of the Lakeshore Psychiatric Hospital. It was reported in the *Globe and Mail* on May 12. At the time the member for Lakeshore, Pat Lawlor, issued a statement expressing his concern that a child in this province would be referred to the adult ward of

a psychiatric hospital, and he spoke in terms of it being dangerous to the wellbeing and welfare of the child and something totally inappropriate in a civilized community.

He suggested at the end of his statement that he suspected an inquiry into why a child would be sent to an adult ward in a psychiatric hospital might be in order. The very next day, on May 13, the then acting Minister of Health (Miss Stephenson) rose in her place in this Legislature and announced there would be an inquiry. Under questioning from the then leader of this party, Mr. Stephen Lewis, the minister conceded the principal thing to be investigated would be how it had come to pass that in 1976, after all the programs had been established to make sure that children are not sent into adult psychiatric facilities, this could still happen. An inquiry was ordered, and took place.

There was a recognition five years ago that this was not just abnormal but intolerable. It was a scandal. It warranted a public inquiry as to how in the hell this could possibly happen in Ontario.

Last week, we had to listen to the minister, when an analogous case is brought to his attention five years later—

Interjection.

Mr. Cooke: It is analogous. A 14-year-old girl.

Mr. McClellan: Yes, precisely the same kind of problem. The appropriate facilities do not exist, so a child is shunted off into something that is potentially very harmful. The minister makes a long justification instead of trying to find out how this could possibly happen, conceding that it should not happen, and advising us what steps he intends to take, how his ministry intends to organize itself to make sure it does not happen again.

The only comment I make is that simply indicates to me a deterioration in our own sensibility over the course of the last five years. I say with considerable regret that, despite all of the structural changes that have taken place within the Ministry of Health and the Ministry of Community and Social Services, we do not seem in this Legislature to have the same sensibility, the same sensitivity, we did five years ago, that would cause us all, collectively, to recognize that children should not be in adult psychiatric facilities.

Mr. Di Santo: Mr. Speaker, I would like to raise with the minister an issue that has been debated at great length in the past, but in the light of what has been happening since Novem-

ber 1, I think it shows once more how this government intends to deal with people who are entitled to social services in Ontario. I am referring to people who are recipients of family benefits.

On November 1, the director of family benefits, Mr. Alfieri, wrote a letter to 1,160 Workmen's Compensation Board recipients informing them that the money they had received as back payments as a result of amendments to the Workmen's Compensation Act in July 1981, would be considered another payment and therefore it would be subtracted from what the Ministry of Community and Social Services considers the basic needs of a person who is receiving family benefits.

4:10 p.m.

This situation is quite devastating for people whose basic needs, as considered by the Ministry of Community and Social Services, are \$262 a month. An example is Mr. Iannelli, who appealed the family benefits decision to the review committee last week. I attended the hearing. The matter was that Mr. Iannelli had received a \$123.30 lump-sum payment from the Workmen's Compensation Board in arrears for his disability pension. As a result of the letter sent to him by the director of family benefits, the ministry is keeping some money, on a monthly basis, until the \$123.30 will be reimbursed.

This is the most callous way of dealing with people who are on family benefits. It is also the result of the fact that the minister changed the regulation, regulation 287, on the same date. In fact, the previous regulation said any income that may come to recipients of family benefits should be considered as part of the needs of the recipients. If there is any increase in income, that should be considered as overpayment, and the ministry should be reimbursed.

Apart from the fact that with \$262 we are far below the poverty line by any stretch of the imagination, I think the minister changed that regulation saying not any income but any payment will be considered in assessing basic needs of the recipient and, therefore, payments received from the Workmen's Compensation Board will be considered overpayments and should be reimbursed to the ministry.

I want to tell the Minister of Community and Social Services this is the most invidious way of dealing with recipients of family benefits or other allowances, in this case, Workmen's Compensation Board pensions. I want to tell the minister that payments are made by the WCB

which are done not because recipients are entitled to any increase in their benefits, but perhaps because they had paid a medical report. In that case, he considers that payment as an increase of his total income and he subtracts a few dollars from the family benefits recipients.

We tried to convince the director that in the case of Mr. Iannelli, as a gesture of generosity from the ministry, \$123 could very well be considered as part of the liquid assets the law allows to the recipient. But the minister said, "No, you have to repay \$123."

This is a situation that affects 1,160 workmen's compensation recipients. I think the minister was wrong when he changed regulation 287 and he did it in a really mean way. People who are totally disabled or unemployable according to the definition of the ministry are people who have no other source of income. They do not even receive the minimum sufficient for them to survive on.

The minister has the nerve to take from them a few dollars given to them by the government through the Workmen's Compensation Board, not because it wanted to increase their income but because it was a partial repayment for what they had lost in the past two years since 1979 due to inflation.

In fact, the Workmen's Compensation Board Act amendment was intended to put them where they were in 1979, according to the government. Therefore on July 1, 1981, they were receiving 10 per cent more in benefits because the cost of living had gone up by the same percentage, according to the government. Of course, that is not true, but that was the rationale given by the government. The minister has the nerve to steal that money from them.

Regarding regulation 287, going back to the previous situation which was not satisfactory at all, does the minister not think he should advise his director of family benefits to send a letter of apology to the 1,160 workmen's compensation recipients who also receive family benefits and tell them: "We did that in a moment of madness and we apologize. We will not steal that money from you"?

Hon. Mr. Drea: Mr. Speaker, I will answer the member for Downsview first. I think he should apologize to me for the reference to stealing. He knows or ought to know that the law of the Dominion of Canada requires that we treat WCB payments as income. He knows that.

Mr. Di Santo: No.

Hon. Mr. Drea: It is true. The member has

raised this many times before and I commend him on his industry on behalf of WCB recipients.

4:20 p.m.

Mr. Di Santo: Why did you change the regulation so surreptitiously?

Hon. Mr. Drea: I think the member should apologize to me for the word "surreptitiously" too. He should also apologize to Mr. Alfieri, because Mr. Alfieri, notwithstanding the law of the land that takes away our sharing portion unless we treat this as payment, worked out the most productive and the most efficient scheme for the WCB recipients to keep the bulk of their money. It is that simple. I want to assure the honourable member—I am on record and WCB is changing—I do not believe any recipient of workmen's compensation benefits should get benefits that are so low as to qualify him or her for social assistance.

Mr. McClellan: Why don't you talk to the Minister of Labour (Mr. Elgie)? Where have you been for the last 10 years?

Mr. Di Santo: That is nonsense.

The Acting Speaker: Order. The minister has the floor. You had your opportunity. Let him talk.

Hon. Mr. Drea: The whole point of workmen's compensation benefits, the whole point of such a program, is twofold. One is to replace the income of people while they are injured, on a temporary basis until they go back to work; two is in two phases, either to provide rehabilitation, retraining and so forth so people are able to go back to work, or if they cannot, to provide them with a pension. Where I part company with the system is that I do not think social assistance payments should be involved by virtue of the fact that those allowances should be much higher than they are.

Mr. McClellan: Why don't you tell the Minister of Labour then?

Hon. Mr. Drea: I have told him that and the member knows that.

The changing of the regulation was a technical one because that regulation was there before, it just specified the new amount. Rather than deducting it month by month from these people, Mr. Alfieri treated the whole thing as income within one month. Therefore, while they lost their allowance for that one month—

Mr. Di Santo: What do they eat that month?

Hon. Mr. Drea: They have their cheque from the WCB. The whole thing was treated as the

income for one month, not averaged out month by month. Mr. Alfieri worked out the most beneficial arrangement for them while obeying the laws of the land. About a week ago the member for London Centre (Mr. Peterson) raised a point about a minor inheritance of \$100, I believe, that was received by a person in a chronic care facility in London.

Mr. Nixon: From his mother.

Hon. Mr. Drea: Yes. As you know, Mr. Speaker, I managed to have the interpretation of the law changed. Why could I do it within a day? Because it so happened that within 24 hours I was meeting with the federal minister and we discussed this matter over my desk. Madame Bégin was most emphatic that she agreed with my solution and she would arrange that it would be interpreted for sharing purposes for the other provinces as long as it was three figures.

We had such a great conversation and agreed on so many things—

Mr. Nixon: She is a great lady. I should have known the change came from her.

Hon. Mr. Drea: No. I suggested—

Mr. Nixon: Well, from the member for London Centre, through her.

The Acting Speaker: Order. We are speaking to the concurrence.

Hon. Mr. Drea: Mr. Speaker, I say in all candour she agreed to that. She agreed to a few other changes I suggested. She is having some difficulty back in Ottawa, but we will have them together before Christmas.

Mr. Nixon: I understand that. Just like you.

Hon. Mr. Drea: The reason I mention that is to emphasize that it is the law of Canada through the Canada assistance plan—

Mr. Di Santo: It is your law, not the law of the land.

The Acting Speaker: Order. The minister has the floor. Each member has had an opportunity to speak.

Mr. Haggerty: Are you going to send the welfare cheques out a week early?

Hon. Mr. Drea: Mr. Speaker, I believe I have. It is not stealing. It is not all of the things that have been attributed to me by the honourable member. That is fine. He can call me names, I do not really mind.

Mr. Di Santo: I did not call you names.

Hon. Mr. Drea: You sure did for about five minutes.

Mr. Di Santo: Those are the facts, not names.

Hon. Mr. Drea: Yes, okay. But when a public servant of this province obeys the law of the Dominion of Canada and the province, it ill behooves the member to use those words about him.

Mr. McClellan: He was not talking about you, just so we are clear on that.

Hon. Mr. Drea: No, no. The "stealing" referred to Mr. Alfieri.

The Acting Speaker: Order. The minister has the floor. This cutting back and forth must cease.

Mr. Di Santo: On a point of privilege, Mr. Speaker: The minister is suggesting I have accused the civil servant because he obeyed the law of the land. I want to correct the record. I said that when the civil servant, Mr. Alfieri, director of family benefits, wrote the letter on July 31, 1981, he was obeying the orders of the minister; orders that were and are wrong.

Hon. Mr. Drea: Mr. Speaker, I would think he had better read his remarks and direct the appropriate things to Mr. Alfieri in the process of the Christmas season. The member does know about Christmas, does he?

Mr. Di Santo: You are the one who didn't know about it, because you stole \$120 from a poor person.

The Acting Speaker: Order. Has the minister completed his statement? The minister will proceed to the discussion of the concurrence.

Mr. Di Santo: He knows that is wrong.

Hon. Mr. Drea: Was I called a name, Mr. Speaker?

The Acting Speaker: I did not hear any name calling.

Hon. Mr. Drea: Are you sure?

The Acting Speaker: The minister will proceed.

Mr. Cooke: It may have come to mind, but he didn't call you names.

Hon. Mr. Drea: And a merry Christmas to you too.

The Acting Speaker: I call upon the minister to proceed with his response to the member.

Hon. Mr. Drea: Thank you, Mr. Speaker.

Mr. Laughren: Santa Claus was a New Democrat. Did you notice that?

Hon. Mr. Drea: He was kind of thin though.

Mr. Laughren: He is not overfed like the Tories.

Hon. Mr. Drea: No hair.

The Acting Speaker: Order. The minister will proceed with debating on the concurrence issue at hand.

Hon. Mr. Drea: Coming back to the Windsor situation, I do commend the member this time for one thing. I notice the particular person involved was described throughout, except in a quotation from a periodical, as a 14-year-old. I very much regret, and I do not think it was intentional by anybody, that the name was used and by virtue of being used in the Legislature became public property.

The member is scowling at me so perhaps the references to the 14-year-old girl in that context were not intentional.

What has been raised is the question about assessments of adolescents that are done in adult psychiatric hospitals. Let us make it quite plain that adults also include adolescents, because there are assessments that are done under remands from adult court in psychiatric facilities across this province. While those people are listed as part of the adolescent caseload, there is no question that they are adults both in criminal law and for purposes of any psychiatric or mental health treatment or assessment they will receive there or in the future.

The use of health facilities, particularly in southwestern Ontario, is on a relatively limited scale. It is used for assessments and not for long-term residential care. For the particular 14-year-old girl in this situation, I draw to the attention of the member that in the assessment and diagnosis that was done in St. Thomas there are certain very specific, and hopefully very significant, neurological and neuropsychological tests that will be done in CPRI in January.

I do not want to get into the medical matters, and I am sure the member does not either. The particular diagnosis and assessment done there may be most valuable and significant to the future of this particular young person.

Mr. Cooke: So why was she sent to St. Thomas? That is the question.

Hon. Mr. Drea: The whole question of this case began when there were certain allegations made that she had been placed in an adult mental institution in St. Thomas because there was nothing available in the community and that she had also been passed around from place to place. I think I have a right to correct that, because she was not passed around from place to place.

4:30 p.m.

Mr. Cooke: Five programs.

Hon. Mr. Drea: It was not five programs, and my friend knows it. I will name them from memory; I do not even have to read the note. She was in Windsor Western regional children's centre totally. Then they released her to Glengarda and had her coming back on weekends. That is the same program. They were loosening up. They then went to the extent that she was going home on weekends, but she was still under the direct control of the same therapist and the same psychiatrist.

It was suggested she was denied entrance to Maryvale. They were never contacted. The member knows that. London Psychiatric was not contacted.

Mr. Cooke: Why does Dr. Johnson say they were?

Hon. Mr. Drea: I think perhaps the member should ask Dr. Johnson. But we checked over and over again at CPRI in case he perhaps got a secretary or something. The answer is no.

It has also been alleged that the hard-to-serve committee of the Windsor-Essex county children's services committee, which met Thursday, December 10, suggested a new facility.

Mr. Cooke: What?

Hon. Mr. Drea: That they suggested a new facility.

Mr. Cooke: They referred the case down here.

Hon. Mr. Drea: No. They suggested a task force for a new facility. Let me read the minute.

"It was also moved by Dr. J. Johnson, seconded by A. Vossen, that the children's services committee immediately establish a task force to develop a long-term residential program for severely disturbed children within an existing mental health centre."

That is not a new facility. That is considerably different, because it is exactly what I said last Friday.

Mr. Cooke: You did not say that.

Hon. Mr. Drea: I certainly did. I read a long statement. I said we had so many psychiatric beds as well as a number of other beds that could be converted on an almost instant basis by locking the doors, by drug therapy and so on and so forth.

Mr. Cooke: Don't be so silly. That's not what we are referring to at all. You are over your head in this ministry.

The Acting Speaker: Order. The minister will complete his statement without the interjections.

Hon. Mr. Drea: Mr. Speaker, you might wish him a Merry Christmas. He is only merry at night.

I want to conclude this matter by reading another page out of this report, because it has been alleged—not necessarily by the member; there is a good deal of irresponsible media material in this event, which is not the direct responsibility of the member, and I want him to know that I am not accusing, hinting or anything else—that this family has been completely disrupted and destroyed because nobody will help them, that there never has been any help for them. That has been suggested quite widely. I just want to quote from this report:

"It was agreed by all the participants"—that is, those at the meetings, all of the social agencies, all the personalities named here, et cetera—"including the child's parents, that the child had received excellent services to date. All of the services provided in the past by the regional children's centre, Glengarda and the Roman Catholic children's aid society were felt to be appropriate and beneficial to the child."

Mr. Haggerty: Who wrote that?

Hon. Mr. Drea: That is out of here. Then they go on to say, "The child's situation, however, changed significantly recently." I want to skip some lines in here out of fairness; I am not trying to get out of anything but there is some clinical diagnosis in here.

Mr. McClellan: You were not hesitant about that last week.

Hon. Mr. Drea: Yes, I was. The diagnosis was originally put forward in this House by the honourable member, not by me.

"The child's parents felt unable to maintain her at home even on a very limited basis." I wanted to make that point very abundantly plain.

I think we are very fortunate in this ministry when we are able to use specialized services of adult mental health centres. We are going to continue to expand our own services, particularly in nonresidential areas. We are going to enrich in the psychiatric field, because this is a very difficult and a very long-term area. We want to make the nonpsychiatric treatment centre beds, I guess you would call them, more flexible so they can deal with crises like this.

But we are very fortunate in this ministry to have the active co-operation of the Ministry of Health where, if an assessment is needed, we can obtain very expert services, and in this case they may be very providential.

In closing, on the basis of concurrence in my estimates, I want to thank the two critics and the two health critics who attended and raised points. Indeed, I think they provided considerable input for a new minister. I want to assure them that their suggestions, their concerns, their complaints and even some of the praise will be taken very much into account by this ministry in the ensuing years.

Motion agreed to.

Resolution for supplementary supply also agreed to.

CONCURRENCE IN SUPPLY, MINISTRY OF CULTURE AND RECREATION

Mr. Edighoffer: I would feel remiss, Mr. Speaker, if I did not say a word or two. It has been quite some time since these estimates have been before the committee; a lot of things have taken place since that time.

Very quickly, I want to make note of the fact that the minister did make some sort of an announcement very recently about the new Canada-wide lottery, which is affecting the 10 provinces. I again remind him of the report from the standing committee on procedural affairs, which I believe I read to him some months ago. I thought he took particular note of that, because in that report this nonpartisan committee recommended that the Ontario Lottery Corporation should place a moratorium on the proliferation of its lottery games. I just wanted to remind the minister again of that report in the hope that he will consider it further.

Also, I have noticed the chairman of the Ontario Arts Council and, very recently, the deputy minister, have been making some headlines throughout the province. The other day, I noticed the deputy minister got the headline: "Do Not Rely on Province for Cultural Funds." Also, the chairman of the Ontario Arts Council, Mr. Gelber, said recently:

"The lack of sufficient government funding to professional artists and art organizations, which has failed to keep pace with inflation, could well be destroying 20 years of investment in Ontario's flourishing art resources."

He went on to make many other comments. I suppose I could refer to the great Stratford Shakespearean Festival, which receives only 11 per cent of its budget from all governments in Ontario. I think it is one of the lowest beneficiaries from government of any organization.

4:40 p.m.

Since the minister's estimates, I have received many letters and deputations from groups because of the so-called lack of funding from his ministry. The one view I want to place on the record is from the Ontario Federation of Symphony Orchestras, which discussed this matter with me very recently and wrote as follows:

"Our federation is very concerned about the level of funding by the Ministry of Culture and Recreation and, hence, to the arts council and our member orchestras. This should be of particular concern, in that recently released Ontario Arts Council statistics indicate that for every \$1 in grants received by orchestras, \$7 is turned back into the economy in artistic salaries, fees and operating expenditures. If we take only provincial dollars granted to orchestras in the 1980-81 season, \$1,530,000, and use the \$7 multiplier, our orchestras are generating \$10,710,000 back into the economy directly in salaries and operating expenses alone.

"We would appreciate your bringing to the attention of your colleagues, and particularly the minister, the need for a restored level of funding to the arts in Ontario, of at least inflationary level, and a higher visibility consistent with what the arts have earned through their accomplishments for this province."

I have, very briefly, two suggestions for the minister.

Mr. Laughren: Parliamentary?

Mr. Edighoffer: Oh yes, very parliamentary. Given the fact that the Treasurer (Mr. F. S. Miller) announced very recently that he would be re-implementing the seven per cent retail sales tax on accommodation at the end of the 1981, and because much of this revenue comes about through tourism and the arts, I hope the minister has made or will make representation to the minister that at least some of this revenue would be available and could be directed directly to cultural activities. I really think this would sort of reflect the complementary relationship of arts and tourism in most communities.

The minister may be interested to know that in Texas, where of course all things are big, the funding from that type of tax goes directly to cultural activities and that it grew from \$350,000 in 1976 to \$1.9 million in 1980. I know he would not want Texas to outdo Ontario in any way; so I hope the minister will discuss this with the Treasurer very quickly.

The only other very simple and plain suggestion I would make would be that, because his deputy minister is going around and saying

there will not be many more funds available and because the chairman of the Ontario Arts Council says funds will not be available, I hope he will suggest to the Premier (Mr. Davis) that he get rid of that jet and put that money into cultural activities.

Mr. Di Santo: Mr. Speaker, I want to make a few comments as well because, as the member for Perth said, quite a long time has elapsed since the estimates last spring and we have not seen very much activity on the part of the minister.

Not that we have great hopes, but we in this party think the Minister of Culture and Recreation has a very important role to play in today's society. In fact, in some instances the minister has defined himself as the minister of multiculturalism. The implication of this definition is that we live in a society that is no longer a homogeneous society as it used to be many years ago. It is a society that comprises many nations and many groups of people with different cultural backgrounds and racial origins.

It is understandable, because of this situation, that we are faced with new problems that were not here a long time ago when this society was more homogeneous. Since we are also faced with an economic crisis that is becoming more and more serious, then we have all the negative effects that a multiracial and multicultural society provokes.

Just last week, we had the mayor's report on minority groups and interethnic relations in North York. It is a report that raised the concerns of many citizens. There were questions asked in this House. In that situation, we have different racial groups living in an unhealthy environment which was created for regrettable purposes by the people who planned the development of that area in the interests of the developers rather than the interests of the citizens who are living there now.

We have probably the highest concentration of population in Canada in a very limited area. Because of the lack of social services, because of the lack of the supporting services, including recreational and cultural services, we are faced with a situation that could become explosive. If we add to that the fact that unemployment in this area is very high, and the competition for the few existing jobs is becoming tougher every day, then we can foresee very serious problems in this area; we hope that will not prove to be the case, but it might.

We have had reports almost every year since 1976 on the relationship between the minority

groups, or the visible minorities, which is the euphemism that is used for the coloured people, and the Metropolitan Toronto Police Force. We had a report on inter-racial relationships. The last report we had was the one that Cardinal Carter gave last year. They are the symptoms of a situation that we and the government have to deal with if we do not want Canada to become a country with the same problem as we have seen in other parts of the world, most recently last summer in England.

4:50 p.m.

What is the role of the Ministry of Culture and Recreation? To say the least, it has been negligible. The Minister of Culture and Recreation has been absolutely invisible in the last year, except when he was forced to come out in the open because of the McMichael collection question. As Minister of Culture and Recreation, he has a duty to promote better relationships among the various ethnic groups living in Metropolitan Toronto and in Ontario. But he has failed to do so; he has done absolutely nothing.

Not only has the minister done nothing, but he probably does not understand what his role is as Minister of Culture and Recreation in this province. If we look at the grants he has been giving all over the province through Wintario, we see that the criteria used by the ministry are based on patronage rather than on the promotion of culture and recreation.

My colleague the member for Oakwood (Mr. Grande) today introduced a private member's bill calling for a culture, multicultural and recreation council of Ontario. This is a proposal we have made several times to the minister.

What we want and what we are asking for is that we should remove the money raised through the lotteries from the hands of the minister to prevent him from being tempted to use that money on the basis of criteria that some people think are partisan. Rather, it should be used for the promotion of culture and recreation by a body that is independent, that understands the needs of the province and that is responsible to the parliamentary assembly of Ontario.

I do not think the minister will accept that principle, even though it would be to the advantage of the government, because it would be an enlightened step forward. It would use the money raised by lotteries, which is quite sizeable, to promote the type of civil coexistence that should be one of the purposes of his ministry. I hope the minister will give some consideration to this bill, even though I do not know what his clout is inside the cabinet.

My friend the member for Perth asked the minister whether he had made any presentation to the Treasurer vis-à-vis the elimination of the exemption of the seven per cent accommodation tax. I think my colleague is an optimist if he thinks the minister made a presentation, because that exemption expires on December 31, which means that either the minister did not make any presentation or, if he did make a presentation, the Treasurer did not give any consideration to it, in which case it indicates a blatant failure of the role of the Minister of Culture and Recreation.

Also, when we discussed the estimates, we went into, at length, the Fisher report on amateur sports. I have not seen any great activity on the part of the minister in promoting amateur sports, except on some very rare occasions when he has introduced Ontario athletes here in the Legislature. But I do not think that is the role of the Minister of Culture and Recreation.

I also want to speak briefly about the way the role of this minister is perceived by those who are supposed to be the recipients of the deliberations of the minister. On September 18, 1981, the *Bielaruski Holas*, a newspaper published in Metropolitan Toronto, criticized the Ontario Ministry of Culture and Recreation for sponsoring an 18-minute movie about multiculturalism shown during Canada week. "How can an 18-minute movie show the character of 80 ethnic groups in Ontario?" asks the newspaper.

For the sake of mutual understanding and integration, we need a steady series of multicultural programs on TVOntario in English. The series shown recently on Rogers Cable TV 10 does not resolve the problem, because only a fragment of viewers have cable.

This is the way the ethnic groups perceive the Ministry of Culture and Recreation. I have frequently raised this issue with the minister. I have asked the question of the ministry on the Order Paper as to what TVOntario is doing for multiculturalism, because when the minister talks motherhood he says great things but in reality he does very little.

We suggested that the minister should use TVOntario in order for Ontarians to get to know themselves. We know how reluctant the government is to undertake programs for the French-speaking minority and how hard we have to push them. Until today, the government had not even accepted the reality that the other provinces have accepted.

For the other ethnic groups, the minister is

even more reluctant to undertake any programs. I do not understand why. Is it for fear of backlash outside Metropolitan Toronto? Is that the reason?

Perhaps it is too much to ask but the minister would do a service to everyone if he undertook an intelligent program, through TVOntario, illustrating the various ethnic groups existing in Ontario and allowing Canadians to understand each group: what they are, what their cultural background is, where they come from and what values they bring with them. We would understand each other, and we could appreciate the presence of other people. In the long run, we could remove some of the prejudices that are the basis of those tensions that are lamented and may, although we hope not, cause very serious problems in the future.

The minister refuses to do that. He does not make a commitment. He very rarely speaks. I have never seen him stand up and say to the assembly that he would recommend his government undertake very serious multicultural policies. I do not know whether it is because of lack of ideas, lack of commitment or lack of understanding, but the fact is that to date we do not have a multicultural policy in Ontario.

5 p.m.

I am saying this in the perspective I outlined at the beginning defining the role of the Minister of Culture and Recreation. If he is really serious he should make presentations, not only to the Treasurer when he removes the seven per cent accommodation tax which will create problems for the tourist and recreational industry, but to his colleague the Minister of Education (Miss Stephenson) when she tries to curtail the heritage programs.

Perhaps he should suggest to the Minister of Education that is a mistake because it creates more social problems. He should tell her that by cutting the funds she does not help to solve the problems that are part of the portfolio of the Minister of Culture and Recreation.

He should tell her the problem could be solved if they took the same route taken in Alberta and recognized third language programs as an integral part of the curriculum. It would not create any great financial problems or any upset in the structure of the educational system of Ontario. I do not think the minister is willing to do that. In fact, he never said he was going to do it.

Going to some specific issues within his ministry that we debated at length during the

estimates, I would like to reiterate our position vis-à-vis the problems of the Art Gallery of Ontario and the Royal Ontario Museum.

In the last two years, 1980 and 1981, we have seen the minister taking a less conspicuous role in this area. He was accused quite vehemently during the estimates by the directors of the Art Gallery of Ontario. We had raised the issue of the layoff of personnel at the AGO in 1980 and 1981. We raised the same issue with regard to the Royal Ontario Museum. I do not think that situation has changed because the minister thinks galleries and museums are a pastime of the wealthy in Ontario and that it is not a cultural service offered to the citizens.

The number of volunteers has increased while the number of professionals has decreased. The chairman of the Ontario Arts Council said, "Don't expect money from the ministry." The Deputy Minister of Culture and Recreation last week reiterated that the minister will not give much more money for art in Ontario.

The minister should reconsider at this point whether in 1981 we can run a decent art gallery in Ontario counting only on the support of what he calls the private sector. I do not expect the minister understands it is now accepted all over the world that art is a public function, a public service given to citizens. If the minister went to the Art Gallery of Ontario he would realize how many services were offered to students and those interested in art before the cutbacks. I do not expect he accepts this very simple concept that is accepted all over the world.

For the sake of saving a few dollars now he undermines the activity of the gallery. We may be faced with circumstances later on that will put us not in the big leagues he talks about but in a situation that will be very difficult to overcome. This prevailing trend is probably encouraged by the Minister of Culture and Recreation.

Last weekend, a key gallery was closed off at the Royal Ontario Museum and will no longer exist. That gallery had been marked off for museum social functions. With its closing the design has to go back to square one. That key gallery served as an introduction to other galleries, gave directions and announced what was to take place. It will cost a fortune to go back to square one. We know the government has invested a lot of money but we have not had a progress report on what is happening at the museum. The minister probably does not know much about that either.

I would like to raise another point regarding the Stratford Festival, one which I raised in the

estimates. The minister will say we deal with the Stratford Festival and the Art Gallery of Ontario at arm's length. The member for Perth was at the festival's general meeting when the board of directors was elected. In that case the democratic process was nonexistent. I think a couple of people had a number of proxies that made it possible for them to act as a board of directors.

The Stratford Festival plays a very important role in the culture of Ontario. I wonder whether the minister has given any thought to reviewing the rules so that important institution can be run democratically with the participation and input of citizens who are now prevented from doing so because of the club atmosphere and rules that prevail there.

5:10 p.m.

I could go on at some length, Mr. Speaker. Even though the Minister of Culture and Recreation is not one who makes one upset because of his profile, as does the Minister of Community and Social Services (Mr. Drea), I have to express my disappointment. Therefore, we will vote against concurrence.

Mr. Laughren: I will be very brief, Mr. Speaker. I want to express my awe to the Minister of Culture and Recreation for his ability. He has a very rare talent, which I am sure members of his own caucus appreciate. I know at least one member does. It takes a very rare talent to take an Ontario benefactor and folk hero and put a cloud over his head for some length of time. I do not know how the minister accomplished it, but he succeeded in doing to the McMichael collection what no critic could do. The minister somehow succeeded in doing that.

There is going to be a committee meeting the first week in February for a couple of days to take a look at the whole issue of the McMichael collection. I am going to be on that committee. It is with very mixed feelings that I am on that committee for those two days of hearings. I do not get much satisfaction out of having that occur. It bothers me a considerable amount. I can recall when the collection was first put into legislation—back in 1972, I believe. I recall speaking on that bill when it was up for second reading in this chamber.

Because of what the minister has done and the way he has handled the issue I cannot help but wonder who has won and who has lost. I hope the minister will search his mind and see if he can find a winner out of this whole issue, either now or after those brief hearings have

been held. When I was up at the McMichael collection in Kleinburg a couple of weeks ago and saw the minister answering questions from the press and from other people on the tour of the collection, it occurred to me at that point the minister had crossed the Rubicon.

There had been an opportunity several weeks earlier for him to have taken the high road. Robert Frost's poem occurred to me about "the road not taken." The road the minister did not take was the high road. He succumbed to pressures within this chamber and made an issue out of what should not have been an issue. I regret that very much.

There is no need for the minister to respond at this time; there will be an opportunity before the committee. When I began my remarks I said it takes a rare talent to do what he has done. The minister is indeed a rare bird. He may go down in history as Ontario's culture vulture.

Hon. Mr. Baetz: Mr. Speaker, I would like to comment quite briefly on some of the observations made, and I will try to follow them in the sequence they were made.

I appreciated the observations of the member for Perth. I recognize some of his concerns. His first observation referred to the possible new Canada-wide lottery game that may take place. We over here are as concerned as he is that the lottery should not proliferate, because with proliferation comes competition and with competition comes hard-sell advertising. We think that is most unfortunate.

Mr. Laughren: Is this a free enterpriser speaking? Is that a free enterprise ethic?

Hon. Mr. Baetz: The member should just keep quiet for a minute.

What has triggered this response from all 10 provinces was the unfortunate announcement by Mr. Gerald Regan of his intention and the intention of the federal government—apparently he had cabinet approval—to come back into the lottery field. This was after the provinces had finally reached an excellent *modus operandi* with the federal government in so far as lotteries were concerned, during that brief and wonderful period when the Progressive Conservatives were in power in Ottawa.

It is most unfortunate. He comes in disguise. He says: "I am coming back, but it is not a lottery, it is a toto. It is not loto, it is toto. There is a difference."

That kind of difference is not recognized in any country in the western world, but the federal government has indicated to us that in

January they are going to define through legislation that in Canada there is a difference between a toto and a loto.

Of course, they are not coming back in with their loto but they are coming back in with a toto, which is a different thing. Therefore, they feel the agreement that exists at the present time, where the provincial governments pay the federal government something like \$30 million a year to stay out of the field, should continue.

When this move on the part of the federal government took place, the provinces understandably reacted, responded and co-operated to see what they could work out in a satisfactory way to avoid this proliferation. It could easily take place when the feds come back, not with the loto but the toto. I share the member's concern that it looks as if we may have to develop a new game. We will have to see what transpires. In Ontario this matter has not gone to cabinet and it has not yet been approved here. Certainly it is of major concern.

As to the press reports on the comments made by the chairman of the Ontario Arts Council and my deputy minister about local arts organizations not relying too heavily on the provincial government for support, I know Mr. Gelber, the chairman of the Ontario Arts Council, well and I have high respect for him. He is a an enthusiastic and dedicated man, dedicated to the development of the arts in this province. He regards them as flourishing. I think that was the comment he made. He recognizes that in Ontario the arts are indeed flourishing.

I can understand why he would say, "We want still more." That is fine, that is understandable. The comment made by my deputy saying the local arts organizations should not rely too heavily on the provincial government is prudent advice. We are simply conveying to them that there is not an unlimited reservoir. In spite of a lot of money going to the arts the amounts are limited. We have been trying to encourage funds from other sources to be directed towards the arts, from corporations, better box office results, other levels of government, private business and so on.

One way to encourage a considerable increase in the funds going to the arts was our challenge fund. In this we contribute \$2 for every \$1 an arts organization raises over and above the amount it raised last year. That has really generated a lot of additional money.

5:20 p.m.

Interjection.

Hon. Mr. Baetz: I think it is 37 of the largest ones, including of course the member's favourite and our favourite, Stratford, that have benefited very substantially from that fund. I hope they will continue to do so. Quite frankly, I think all of the arts organizations have to realize that it is not a bottomless pit here.

The member commented on the Ontario Federation of Symphony Orchestras. That again is an organization that has grown very rapidly in recent years. It now has a total budget of \$139,000. Out of that, my ministry contributes \$76,000, which is obviously a very large part of their budget. The Ontario Arts Council contributes another \$9,600.

It is another example of the flourishing arts in this province. We now have something like 34 symphony orchestras in Ontario. It is a very rapidly growing field. Their umbrella organization feels growing pains and needs additional money; we will certainly try to do our very best, as we have in the past, to see they are adequately funded.

I have also noted the observation of the member for Perth that I might discuss with the Treasurer some tax arrangements which would allow some of the tax funds to accrue to the arts. I will do that. We have done it in the past but I am sure the honourable member understands that treasurers must look at all sides of an issue. They must look at the revenues and they must look at the expenditures. I am sure our Treasurer will look at this whole issue in the very enlightened way in which he looks at everything else.

The member for Downsview referred at some length to my ministry's role in the whole field of multiculturalism. I will not, of course—and for good reason—accept his opinion that this ministry or this government is really not committed to the field of multiculturalism. I could spend a great deal of time giving case after case, point after point, where we are making a very substantial contribution to our multicultural society.

We recognize over here, just as well as do the members over there, that we live in a multicultural society in Ontario. There is no longer a question as to whether we are a multicultural society or we are not. We know we are. Our concern is to keep this society healthy. We feel the present multicultural society has a very substantial degree of good health in it. We will do what needs to be done to maintain that.

The member for Downsview commented on the grants from lotteries. He suggested these

should somehow go into a fund, and that a great deal of political patronage is involved in making these grants. I would be prepared at any time, as we have been in the past, to give the member for Downsview or anybody else on that side of the House or on this side, a complete breakdown, riding by riding, as to where these grants go.

I think if the member saw the report in the Toronto Star just a few days ago, it should have confirmed to him once again, for the second or third time, that there is no sign of patronage there at all.

Mr. Di Santo: What about the auditor? Tell the auditor that.

The Acting Speaker: Order, order, order.

Hon. Mr. Baetz: I know it is easy and the members like to hear themselves say this; they stand up and say it is political patronage, but they have to substantiate it. That is all I am asking them to do. They should take a look at the latest breakdown in the Toronto Star and if they still have questions we will be very happy to answer them.

The initiative for the lottery program and the grants for Wintario and so forth has to start at the local level. We do not go out to this riding or that and say, "How about starting this project or that project?" We wait for the local initiative, and if the criteria are right then we help to finance. I think it has been done in a very fair way.

The member for Downsview commented on the Fisher report, saying he felt nothing had been done about it. I can tell him that almost half the recommendations made in the Fisher report have been implemented. So it is not a matter of letting the report gather dust on the shelf. That is just not happening.

As to the member's comments about the Art Gallery of Ontario, I can simply tell him that following the estimates debate a study has begun. We are working with the art gallery. We are looking at some of the services it had planned to cut back on or cut out. Most of those have, in fact, not been cut out. We think a lot of progress is being made there.

I just want to go through this very rapidly, Mr. Speaker, because I know my honourable colleague, the Minister of Natural Resources (Mr. Pope), wants to get on right away. I would like to make a closing comment on the Royal Ontario Museum. The member has once again raised the spectre here that somehow or other—and we heard this a few years ago, when we closed the Royal Ontario Museum for a much-needed

renovation and expansion—the place might never even open again, or that it would open with some galleries closed up. I think the member is on record in Hansard as having made those observations. Of course, they were totally groundless.

What he will find if he goes there, and I would invite him to go there any time, is what a magnificent world-status museum it will be. The curatorial science centre opened a few weeks ago. Some members were invited to it. When that museum opens it going to be one of the really great museums of the world. So we are looking forward to that.

In the final comment made by the representative from Nickel Belt—I do not want to get into a debate at this time—he pointed out that the McMichael matter is going to standing committee. As I said the night of the debate I find that most regrettable. I do not think it was necessary, but I would remind him it was his party and the Liberal Party that insisted on that going to the standing committee. That was their decision, not ours. We will see him at the standing committee.

Mr. Laughren: No, it was the way you responded that made it inevitable.

Hon. Mr. Baetz: Anyway, it is there that we hope to discover the truth and see what the proper judgement will be. That is a very brief response to the members opposite.

Motion agreed to.

CONCURRENCE IN SUPPLY, MINISTRY OF NATURAL RESOURCES

Mr. Nixon: I want to say something rather personal to the minister, since I have been an admirer of his for some time. When I looked across the House I always felt he had one of the most pleasant smiles and probably a pretty good sense of humour. But somehow or other, now that he has been elevated to the northern papacy practically, he tends to take his responsibilities perhaps a little more seriously than is warranted.

He gets aggressive and defensive at the same time. I do not know why that should be, because many people, while they would just as soon a Liberal had the job—and we look forward to that happening in the very near future—but with that caveat, we would just as soon have him as the minister as anybody over there, since at least he comes from Timmins. Even though he has made his living as a lawyer for so many years, we do not feel he has lost all rights to the

respect that members of the House should have for him. As I said, I do not want to be unduly personal but I felt I should say that.

5:30 p.m.

Sometimes his responses get a little sharp for us. Mind you, the questioning does too. But a few days ago he indicated that no one in the opposition had much of an interest in the forestry situation or the development of our mines. As a matter of fact, I had the opportunity to be our official spokesman in these estimates a year before. I am not sure—that was before he was the minister—if he even attended, but that is another matter. His interest in natural resources is much more intense now than it was a year ago, as I recall.

We did have a very full discussion. As a matter of fact, my colleague the member for Rainy River (Mr. T. P. Reid) and our whole northern caucus deals with these matters on a regular basis. For the minister to indicate that we are anything but intensely interested is, of course, incorrect.

I am not a northern member—the minister knows that—but as a member of this House for 20 years I have had many opportunities to visit the north and talk to people immediately involved in the problems—industrial, social and otherwise—in that part of the province. I have been down in the mines in Sudbury and Timmins; I have had the best Chinese food in Ontario in Mount Joy, as it then was; I have gone over the great railroad to Moosonee perhaps more times than I would care to; I have slept on the floor of a schoolhouse in Trout Lake; and I have addressed a throng of people in Attawapiskat over a loudspeaker stuck in the belfry of the church.

Opposition members have had many opportunities to meet the people of the north, go through the pulp mills, talk to the owners and the working people in the industry about their problems. We can, I believe, converse as knowledgeably as anybody with the minister and his staff about those matters.

One thing that has been lacking in the recent decade, frankly, is proper opportunities for members not from the north to have the experiences I have had, largely 10 years ago. It is fine to say we have access to Air Canada flights and other flights into the north part of the province to go and look at whatever we want. Many members avail themselves of that opportunity. I am sure the minister is aware, if he looked at the records, that sometimes at the same time we fly into those areas other events

are scheduled which take place parallel to those. He cannot say that the primary purpose of the trip is to go to look at the resources and talk to the people actually involved in them.

For that reason, I would simply tell the minister again that I strongly advise him to lead an expedition into his home country with all members of the Legislature he could persuade to go with him. It should not be a process where we go from town to town and the mayor and corporations come out and give us a big dinner that we pay for. We do not want to do anything like that. But we can, in fact, go up and see the real north. If some local politicians want to get into the act too, we have no objection.

This really means he is going to have to use his air force to get us into some areas of substantial interest to us, not just like communities we are used to seeing down here, where we look at the same old McDonald's, the same old shopping centres and talk to the mayors who want the same increases in money that everybody else wants. They have problems that we can deal with in another way.

It is fine to go through sawmills and pulp mills and look at those marvelous paper machines, but many people have seen those. We really want to talk to the people who are directly involved. We want to feel that we have gone into the real north.

Somebody indicated once that if one cuts out a map of Ontario in cardboard and balances it on his finger, the centre of gravity is north of Kapuskasing. We tend to forget that we have a fabulous hinterland that many of us here know little or nothing about. I simply suggest to the minister that I would like him to lead the expedition. He may have whatever help he wants, but he should not simply call in a bunch of people and have them do it. He can consult with whomever he wants, but I have a great deal of confidence that he should do it.

We have lots of planes. More than a decade ago, we went with 15 Otters and Beavers. Everybody went up there and we flew all over northern Ontario. Those of us who had an opportunity to go at that time feel we gained almost sort of a possessive knowledge; so we do not feel ourselves southerners as opposed to northerners, we feel ourselves Ontarians. I think that would be a big help for us here.

I would also suggest as a footnote that there ought to be at least a few hours set aside where we can catch some fish. The reputation of the

minister depends on us catching fish. I do not want the minister to be nervous about this, but just bear it in mind.

Mr. Havrot: Are you a good swimmer? You have to chase them swimming, you know.

Mr. Nixon: Yes, our former Minister of Agriculture and Food went over and raided the Indians' nets under the water on one occasion and came back with a lake trout in each hand and an Indian war canoe about 10 feet behind him. That is no exaggeration. If they had caught him it probably would have been to the benefit of the farmers of Ontario, but that is another matter.

I want to assure you, Mr. Speaker, and in your private capacity as a member I know you would agree with me, that we do feel compelling interest in the north and in the people of the north. We want to have the members of the House, particularly those fairly recently elected, to have an opportunity to go up there and participate in the life of the north and meet the people and see what the problems are.

Mr. Stokes: Do it the last two weeks in February.

Mr. Nixon: The member for Lake Nipigon makes a good point. It should be the last two weeks in February. I have tramped around Nipigon and Red Rock and Schreiber in that weather. I did not win many votes, but on one occasion we almost beat the honourable member—almost.

Mr. Stokes: When was this?

Mr. Nixon: When were you first elected? In 1967 we almost cleaned his clock.

Mr. Stokes: You came third.

Mr. Nixon: Well, we were close. I have a feeling we may not have as good an opportunity in the immediate future.

However, there would be nothing wrong with going up there in the winter time if the former Speaker wants us to suffer. He tends to get a little personal gratification out of that. He makes a good point. We look forward to seeing what plans come out of the minister's imagination as we approach the warmer part of 1982.

Mr. Laughren: Mr. Speaker, I concur in what the member for Brant-Oxford-Norfolk said about a tour of the north. We keep hearing rumblings that it is going to happen, but never get any confirmation. Perhaps when the minister responds he could tell us what his intentions are in that regard. I hope whatever he does it is his ministry that is the lead ministry, because if we leave it up

to the Ministry of Northern Affairs they will screw it up so badly we will never get north of Finch Avenue.

I would encourage the minister to take that under his wing and get us across northern Ontario.

It is particularly appropriate that we should be discussing these occurrences today following the announcement yesterday that the minister had signed a forest management agreement with Abitibi-Price. Not that there is anything wrong with signing a forest management agreement; everyone agrees, I believe, that there should be agreements. There have been agreements in the past with the forest industry, and here we go again, around the mulberry bush.

It is the manner in which the minister is proceeding with the forest management agreement and other matters dealing with forestry, dealing with planning, dealing with native rights in northern Ontario and other parts of Ontario as well, that bothers us a great deal. It is not, as the minister would have everyone believe, that it is simply the opposition opposing for the sake of opposing. There are some very real concerns out there about what the minister is doing and about what the Royal Commission on the Northern Environment is doing.

No one knows what the royal commission is doing. The minister does not know what the royal commission is doing. If the royal commission knows what the royal commission is doing, I wish it would tell us, and I wish it would tell the Ministry of Natural Resources, because with the ministry doing what it is doing under its strategic land-use plan and the royal commission doing what it should be doing under its mandate, either there is duplication or one of the two is not doing its job. It is as simple as that.

The minister would be the first to defend his role and say he is doing the job; therefore, we can only draw our own conclusions about the royal commission.

Mr. Stokes: He can't get anybody to pay any attention to him, that's all.

Mr. Laughren: Who?

Mr. Stokes: The minister.

5:40 p.m.

Mr. Laughren: The minister? Yes, there are people who pay attention to him.

When he took this ministry, the planning process was already in place, the forest management agreements were already sort of in place and some had already been signed. It is not as though the minister launched any new

program in this regard. The minister undertook to complete existing programs. He has succeeded in causing a great deal of doubt surrounding the planning process in northern Ontario. I could not say it better than people within his own ministry are saying it. I will quote at more length later on.

When he responds, I hope the minister will tell us how it is, when the district land-use plans are not going to be completed until the end of 1982, he can feel the need to sign the forest management agreements now, a year before the district land-use plans are going to be completed.

I do not know how in the world he expects anybody to have any faith in the integrity of the planning process or in public participation when he is doing this to them, saying: "Here, the forest management agreement is taken out of this district. Now fight over the crumbs. Fight over what is left." The forest management agreement is taken out of that district for all intents and purposes when he signs that FMA. Yet that is what the minister insists on doing.

The minister says, "There is public participation with the FMAs." We saw what public participation there was. People were not allowed to take documents away from the open house. They were given less than 10 days to respond, although some pressure was applied and the minister relented and gave them more time. That was the intention of the ministry and the minister, to allow people less than 10 days to respond. That is simply not right.

No options are being put before people out there in the planning process. The minister is saying, "This is what we want to do." He is not saying, "These are the possible options and these are the ramifications of those options." They are just laying out the alternatives for people and saying, "This is what we are going to do." They are not really even alternatives. They are his idea of what should happen. He is saying to people: "It is public participation when you come in. Look at what we want to do. Then you can respond and we will consider your views." We know how much consideration is given to public views by the ministry. That is not meaningful participation.

When those FMAs are signed, that is it for that area. It excludes any further negotiations for tourism, wilderness areas, parks, roads, for waste disposal sites or even for farming in the north. When the minister does that, he really does cause a deterioration in the planning process and in public participation.

Since he became the minister, a number of things have deteriorated. The negotiations with native people have deteriorated. The significance and importance of parks has deteriorated. The master planning process for parks has been put on the shelf. There is no other way to describe it. The minister says, "Oh, well, we are going to complete the parks planning." In fact, he has not. He has put it to one side. That is simply not right. He has an obligation to complete that planning process.

I know it is always easy to deal with the problems of today and to put the long-term problems to one side and let them go away. But if the minister planned properly for our parks and wilderness areas, that would last for generations. The trees one cuts will be gone tomorrow. The parks and wilderness areas that are set aside are terribly important to this province and to future generations.

While it may be more expedient to cut trees today, in the long run it is not a good policy when one starts abandoning the parks like that. The minister pretends he does not, but I believe the Abitibi-Price agreement includes the cutting of protection forest.

If I am wrong, I am sure the minister will correct me. I do not know how he intends to regenerate that protection forest. I see the minister smiling. I want him to make a commitment that in all the FMAs he signs there will be no cutting of protection forests. That would reassure me to a considerable degree.

The role of his ministry has been downgraded. If I was the minister I would be worried about my own ministry. When we had the estimates of the Ministry of Natural Resources, and when we had his debate, he sat there at the front with his deputy, and not even always with his deputy, and there was nobody else from the ministry there.

With most ministry estimates the minister and the important people throughout the ministry are in attendance to answer questions and to feel that they are part of the process; to feel they are important to the running of that ministry; to feel that they can answer questions. Who expects the minister to be able to answer all questions, on all possible topics, in a ministry as diverse as Natural Resources? I do not think anyone expects that.

It is not a put-down of the minister to say, quite frankly, that we would have been getting better and more complete answers from the key people in his ministry throughout this province. That is not a put-down of the minister, it is a

simple fact. No one can have the knowledge that the experts do, and if the minister thinks he can have that, then he really does put his key people in a funny position. It is causing problems in his ministry already, and I suspect it is going to get worse.

None of us is well served with a demoralized ministry in this province, and least of all the minister. I cannot tell him precisely how he should conduct his affairs with his employees, but when I see letters such as the one from one of his regional directors, from which I quoted briefly yesterday, then I worry that the minister is rushing full speed ahead on policies and only consulting those people he wants to listen to or those who listen to the minister and always nod in agreement. If that is what he is doing, then I am not surprised there is dissension, dissatisfaction and unhappiness within his ministry.

I see a short paragraph like this, "With respect to the principle being addressed, that is land-use planning prior to forest management agreements, I would agree wholeheartedly, but what I am at a total loss to understand is how a district land-use plan can discuss in any credible public forum land exclusions within an FMA area when the FMA itself was approved eight months previous."

That says it better than I was saying it during the estimates. It is exactly how I feel. It is exactly how those people out there in Ontario feel who want to have a say and who want to feel that public participation is meaningful in this province. It is like Pierre Trudeau's old slogan about participatory democracy, and we all saw what a hollow shell that was.

Mr. Boudria: How dare the member criticize our Prime Minister?

Mr. Laughren: Don't get me going. The minister is not doing himself or the province a service.

One other point is that in the spring, I gather, the Premier (Mr. Davis) asked this minister, and perhaps all ministers, what their long-term priorities were as ministers. The minister replied to the Premier as to what the long-term priorities were within the Ministry of Natural Resources. It is true, is it not, that the Premier asked for that, and the minister responded, and told him his priorities in his ministry?

If it is not, that is funny. This says, "Dear Mr. Davis, I have given your letter of May 5, 1981, on the subject of long-term priorities considerable reflection, and have the following com-

ments and suggestions to offer in response to it." That sounds like a response to a request from the Premier for long-term priorities.

Hon. Mr. Pope: Some of them.

Mr. Laughren: Yes, some of them. In the minister's response, he talks about a number of his priorities, and I would not disagree with—

Mr. Boudria: Does he have all of your cabinet documents, or just some?

Hon. Mr. Pope: Whatever he wants.

Mr. Laughren: I have only the important ones. The minister says a couple of things that bother me a great deal in his response to the Premier. One of them is this paragraph: "This government needs to develop, on a priority basis, a holistic approach to water as a resource. We should be in a position to anticipate and respond effectively to initiatives by the United States on this resource; such as water diversions, oil and gas exploration of the Great Lakes and its associated problems, or possibly the outright bartering of water. To this end, we must consolidate our legislation and policies on water as soon as possible with the support and co-operation of Ontario Hydro and other ministries concerned."

I want the minister to stand in his place when he responds and tell us what his plans are for the diversion and bartering of water in this province. I want the minister to respond—

Hon. Mr. Pope: On a point of privilege, Mr. Speaker: The letter does not say that. The letter says that was a possible problem. It does not say that was my policy. The member had better read it again. He got caught on another item during the estimates in the same way.

5:50 p.m.

Mr. Laughren: I will read it again: "This government needs to develop, on a priority basis, a holistic approach to water as a resource. We should be in a position to anticipate and respond effectively to initiatives by the United States on this resource; such as water diversion, oil and gas exploration in the Great Lakes and its associated problems, or possibly the outright bartering of water."

I ask you, Mr. Speaker, how would you interpret that?

Hon. Mr. Pope: If the honourable member reads it correctly, he will indicate to this House that we are talking about possible United States initiatives.

Mr. Laughren: I have not misquoted a single word in the letter. I do not know why the

minister is so up tight. I suppose because he has played fast and loose out there with the diversion of water. I want the minister to tell us exactly what has gone on to this point concerning the negotiations over the diversion of water, the outright bartering of water. It may sound relatively harmless until one thinks about the possible ramifications for the diversion of water in this province. That is a very serious policy even to be discussing with the United States.

The minister and his colleagues did not run in the election in March on the diversion of water or the bartering of water with the United States. There was never any mention of that, was there? Is this part of its program to export hydro, through nuclear, to the United States as well?

Hon. Mr. Pope: The honourable member is deliberately misrepresenting my position and that of my ministry.

Mr. Laughren: Mr. Speaker, are you going to allow the minister to say that?

The Deputy Speaker: Well, what do you want me to do? I do not have the paper in front of me. We are having a discussion over a document that I have no privilege to. I would possibly hope at some future time you two distinguished, fine gentlemen would get together and clarify what was or was not meant by the letter, and carry on maybe without being so provocative in terms of the letter.

Mr. Laughren: Mr. Speaker, who are you referring to?

The Deputy Speaker: You.

Mr. Laughren: Me? The point is, it is a little scary when I read what the minister has said in response to the Premier.

The Deputy Speaker: When you read what you think the minister has said to the Premier. That is the point that is bothering the minister.

Mr. Laughren: What do you mean? I am quoting from a letter of the minister to the Premier. The minister first of all denied it existed, then decided it did exist when I quoted from it.

Hon. Mr. Pope: I did not deny it.

Mr. Laughren: You did so. That is exactly what you said.

Hon. Mr. Pope: I did not. I said it did not represent all my priorities.

Mr. Laughren: That is not what you said at the beginning.

Perhaps I could read another couple of paragraphs and give the minister the opportunity to tell me I am misquoting him again, even

though I am not misquoting a single word: "This government will also be faced with the challenge of maintaining a favourable investment climate for the exploration and development of mineral resources. This challenge may require a program stressing Ontario's investment opportunities for the junior speculative metal mining, including some encouragement for the prospecting and development of small and medium sized mines.

"It is a question at this point of building on the momentum created by BILD initiatives, such as the hydrocarbon inventory, the test custom gold milling and the provincial core library programs. Introduction of a new mineral resource act as part of our legislative package will be a step in the right direction."

Have I quoted the minister accurately as he recalls? Ah, Mr. Speaker, perhaps I am gaining credibility in the minister's eyes again. He does not disagree with that. How about this paragraph? Let us see if he agrees this is an accurate quote: "Finally, I would like to touch briefly on the subject of outdoor recreation. With the squeeze on wildlife, fisheries, wetlands and wilderness stemming from increased tourism, resource exploration and extraction in agricultural activity, it is apparent that an intensification of our management programs will be required."

Here is the interesting part: "Because of our limited financial resources in this area, we might have to consider, sooner than later, a transfer of the management of at least certain outdoor recreational resources to the private sector. This would force a system where the user would indeed pay the private sector for certain outdoor recreational opportunities, such as some components of hunting and fishing programs.

"Although the implementation of such an alternative would necessitate a commensurate rise in legislation, it would have the educational value of pointing out, contrary to a widespread public perception, that public resources are not free resources and that wise management necessitates expenditure of funds. However, I anticipate that if we proceed with privatization on any kind of scale, we will face resistance, as total or partial government disengagement from previous commitments is often not deemed acceptable by the public."

Do I quote the minister accurately?

Hon. Mr. Pope: Yes.

Mr. Laughren: Good. Perhaps when he responds, the minister could tell us what particular resources he is talking about transferring to the private sector.

"A transfer of the management of certain outdoor recreation resources to the private sector." Perhaps the minister could tell us which resources he is thinking about transferring to the private sector. He has every reason to be cautious when he says to the Premier, "I anticipate there will be some flak out there about such a program." He is damned right there would be some flak about such a program. The public in this province has a huge investment in those resources, and we are not prepared to transfer them on the minister's whim to the private sector. That is what the minister is talking about.

I would like to know the minister's views on the management of our provincial parks. Perhaps that is what he is talking about; I do not know. If the minister is prepared to state that we may have to consider the bartering and diversion of water to the United States, then I would like to know what the stakes are as well. What are we getting in return for this?

I never hear the minister talking about these things in his public statements, either in the leadoff to his estimates or when speaking in different parts of the province. I never hear him talking about these things. Why? If these are the priorities the minister outlined to the Premier, why does he not talk about them when he is talking to interest groups all across the province? Why does he not talk about them in his estimates? Are they priorities he does not want to talk about publicly now? I think the minister owes it to us to be on the level when it comes to these things.

In closing, during the debates of his ministry's estimates, I asked a fairly large number of questions of the minister. I look forward a great deal to receiving those answers. I assume I am going to get those answers. The minister is shaking his head.

Hon. Mr. Pope: The members would not let me answer.

Mr. Laughren: What is the minister talking about? He was not answering anyway.

Hon. Mr. Pope: I was so.

Mr. Laughren: The minister promised to answer those questions even if it was after the estimates debates were over. The minister shakes his head, is that right?

Hon. Mr. Pope: Yes.

Mr. Laughren: That is simply not true. I ask the minister and his staff to check Hansard to see whether he made a promise to answer questions that were put to him, very legitimate-

ly, during the estimates debate. What kind of incredible arrogance is it by which the minister can sit there and say, "I am not going to answer questions even though I promised previously to do so"? What kind of arrogance is that?

Hon. Mr. Pope: What kind of arrogance is it when the members would not let me answer?

Mr. Laughren: Who would not let the minister answer? That is total and absolute nonsense, and the minister knows it. He is too defensive to respond coherently, if yesterday is any example. Is that why? Do those questions touch a nerve? Is that what is bothering the minister? He should answer the questions; that is his job.

Does the minister think he is put in that position to paternalistically look after the resources of this province, ignoring public participation, the advice of people within his own ministry and the opposition when they put legitimate questions to him? If that is the kind of minister he is going to be, he is in for a very rough time. He can sit there and smile if he likes, but majority government does not give him the right to ignore the people of this province or the members of the opposition in this chamber.

The Deputy Speaker: I am wondering if it is close to six o'clock.

Mr. Haggerty: Mr. Speaker—

The Deputy Speaker: You are going to move the adjournment?

Mr. Haggerty: Yes. I will move the adjournment.

The Deputy Speaker: Shall these estimates—

Mr. Stokes: No, no. "Shall the motion carry for the adjournment of the debate?"

The Deputy Speaker: A motion? I said, "Carried." I am sorry. Carried.

On motion by Mr. Haggerty, the debate was adjourned.

Mr. Haggerty: On a point of order, Mr.

Speaker: Am I correct in believing that we are not through with concurrences for the ministries?

The Deputy Speaker: No, we are not.

Mr. Haggerty: I thought you said it was carried.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, before the adjournment of the House, I want to indicate the business of the House for tomorrow and Friday.

As members are aware, the House will begin sitting tomorrow at 10 a.m., going through until 1 p.m., recommencing at 2 p.m. with routine proceedings and again at eight o'clock in the evening.

Between 10 a.m. and 1 p.m., and again in the evening from 8 p.m. to 10:30 p.m., we will be calling third readings and private bills on the Order Paper, followed by committee of the whole on Bills 191 and 147, second reading only of Bill 194, and completion of Bill 178 if it is reported from the standing committee and available to the House. Then we can continue concurrences in the order in which they appear on the Notice Paper.

Tomorrow afternoon we will be having private members' ballot items. Those items are in the names of the member for Lake Nipigon (Mr. Stokes) and the member for Oriole (Mr. Williams).

On Friday morning we will call committee of the whole on Bills 2, 53, 93 and 160. Then, if Bill 178 is reported and is not completed, we will continue the completion of that bill. We will then resume any concurrences that might remain, with the final budget motion speeches and the supply bill to follow.

Mr. Haggerty: That's on Monday, isn't it?

Hon. Mr. Wells: That is on Friday.

The House adjourned at 6:02 p.m.

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No. 133

Legislative Assembly

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Thursday, December 17, 1981

Morning Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, December 17, 1981

The House met at 10:03 a.m.

Prayers.

ORDERS OF THE DAY

THIRD READINGS

BARRIE-INNISFIL ANNEXATION ACT

Mr. Rotenberg, on behalf of Hon. Mr. Bennett, moved third reading of Bill 156, An Act respecting the City of Barrie and the Township of Innisfil.

Mr. Rotenberg: I wish to take a moment, Mr. Speaker, to thank all those who co-operated to bring a happy ending to the Barrie-Innisfil controversy. Specifically, I want to pay tribute to Mayor Archer of the city of Barrie, his council and officials, to Reeve Andrade and his officials from the township of Innisfil, and to all those people working in co-operation with this. I also wish to thank members of the opposition parties for their co-operation, both in the House on second reading and in yesterday's committee hearing, to bring this matter to a happy conclusion.

In a moment, we will deal in committee of the whole with the boundaries bill, but I think this Barrie-Innisfil situation has shown that municipal mediation does work, and we are all very pleased at the happy conclusion.

Finally, I wish to pay tribute to the staff of the ministry, who really did all the work.

Motion agreed to.

The following bills were also given third reading on motion:

Bill 183, An Act to incorporate The George R. Gardiner Museum of Ceramic Art;

Bill 184, An Act to confirm the Revised Statutes of Ontario, 1980;

Bill 185, An Act to amend the Revised Statutes of Ontario, 1980;

ARMENIAN COMMUNITY CENTRE ACT

Mr. Rotenberg, on behalf of Mr. Williams, moved second reading of Bill Pr45, An Act respecting the Armenian Community Centre.

Motion agreed to.

Third reading also agreed to on motion.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, according to

the business paper for today, the House was to move into committee of the whole House to consider Bill 191, An Act to amend the Municipality of Metropolitan Toronto Act, the bill dealing with the Toronto Islands.

About half an hour before the meeting, it was brought to my attention that our lawyers have not had any time to consider some suggested amendments, which I think need to be considered, both by myself and the other parties. I know they would like to take a look at them too so that they can be considered in committee. We have about 10 other amendments, mostly of a housekeeping nature, to put forward. I am suggesting the bill not be now proceeded with in committee of the whole. It will take an hour or two to consider it.

However, because this scheduling was arranged and I guess people arrange their schedules accordingly, and believing those of us who are concerned with the islands bill would be on deck and doing our thing this morning, the next order of business we could move to would be Bill 147. It will be a few minutes before people will be here for that. I was going to suggest we go on to concurrences for the time being and then move back to legislation.

Therefore, I would call the order for resumption of the adjourned debate on the motion for concurrence in supply for the Ministry of Natural Resources, followed by concurrences for the Ministry of Municipal Affairs and Housing.

CONCURRENCE IN SUPPLY, MINISTRY OF NATURAL RESOURCES (concluded)

Resuming the adjourned debate on the motion for concurrence in supply for the Ministry of Natural Resources.

Mr. Haggerty: Mr. Speaker, if the minister had not been so pompous in committee meetings, perhaps we would not have to continue with debate this morning or yesterday afternoon relating to his estimates.

I am concerned that the two items of greatest concern to all members of the House, and particularly to members of the opposition, were never actually debated during the estimates; I refer to the forest industry and the mining industry in Ontario.

10:10 a.m.

In his ministry's estimates for this year, I noticed the expenditure for 1981-82 is down almost \$9.5 million from the expenditure of 1980-81. To have a cutback in this area, which is of concern to a number of members here and particularly to the forest industry in the province, is most questionable to members on this side of the House.

I make reference to the article in the Toronto Sun of Monday, October 5, 1981, under the headline, "Crisis Lurks in our Forest Industries." There are also subheadings, reading, "Most Important Industry" and "Cutovers Slow to Come Back."

I do not know how often the member for Rainy River (Mr. T. P. Reid) has brought to the attention of the minister the pathetic state the forest industry is in as it relates to regeneration of forests in Ontario. There is such a backlog now that I do not think the province is ever going to catch up to it by the year 2000.

Although the province and the federal government can come through with substantial grants to assist the industry in modernizing its plants, there is great concern in the forest industry that forest products may not be there in the next 10 or 15 years because of the lack of any initiative by this government over the years to provide a comprehensive reforestation program in the province.

When I look at the \$9.5 million taken out of the Ministry of Natural Resources, I can only come to one conclusion: that is where the money went to buy the executive jet for the government.

The only place we can find where there has been \$9.5 million lost in some ministry's estimates is the Ministry of Natural Resources. That amount of money should have been spent on a reforestation program for Ontario. The minister is well aware of the situation in the forest industry in Ontario; it takes a long time for regeneration, for the second cut to come on.

If the government cannot provide a reforestation program in northwestern and northeastern Ontario, then perhaps it should look to the southern part of Ontario, where the same type of trees can come on stream in a period of 25 or 30 years, because it is going to need forest products to keep our mills and the economy rolling in Ontario.

The minister also indicated in his leadoff statement, and I hope I am correct in saying

this, that he was going to reintroduce the Pits and Quarries Control Amendment Act, Bill 127. Am I correct in that?

Interjection.

Mr. Haggerty: I thought the minister made some comment that he was going to introduce it here in the latter part of December. Will it be December 31? I am wondering because this is an area of concern to me and particularly to a number of municipalities in southern Ontario that have a problem. He said no. He is going to promise.

The minister's predecessor talked a lot about bringing forth this bill to control the aggregate industry in the province. My main concern is that he should change the financial aspects of the regulations for the Aggregates Act. At one time, for rehabilitation purposes, about two cents per ton was charged on each ton of stone sold from the quarries; now it has gone to eight cents a ton. Municipalities are questioning what share of that is going to them. Apparently, there has been no dialogue with them as to how much of this is going back to the municipalities.

I can cite a case where they are exporting stone from Ontario to the United States. Eventually, there is going to be an open hole in the ground, and that four cents that goes to the municipality, half a cent per ton to regional municipalities, half a cent per ton to the abandoned pits and quarries fund and one cent to the province; so the province is getting about 1.5 cents out of this funding.

There has to be some initiative taken by the government in this area. Where the province has permitted expansion of quarries in a municipality, my main concern is that those persons who live in that community surrounding the original pit or quarry operation must have some protection. It is nice to say that the municipality gets four cents a ton without earmarking it for a purpose.

I have been plagued, and no doubt other members had been plagued, with requests to provide some avenue of assistance for persons living in rural areas who lose their water wells. There is nothing in the act, or even in the Ontario Water Resources Act, to protect a person in this area. It has to be done, I suppose, in a bargaining process with local councils, saying that if they do not come through with something on this, we will not permit any further expansion. Of course, that causes some delay and it causes delay to the pit and quarry operators.

In this area, I would like to see the four cents

per ton that goes back to municipalities earmarked to provide hard-core services, such as water, to homes surrounding the open pit when there is expansion. They must have some protection under some act, either the Ontario Water Resources Act or the new Pits and Quarries Control Amendment Act. I suggest that people have no protection at all at present.

Pelham, a town in the Niagara Peninsula, encounters difficulties with the pit operators who want to expand in the Fonthill area. There has been difficulty over the years. At one time, I represented that area, and I can still go back to my files and see where people have had encroachment almost on to their land by pit operators, particularly where they are working with gravel and where they have deep slopes on the sides. Sometimes, property owners near the site of the pit operations will lose a certain amount of land by slippage, because of the excavation that is being carried out.

In many cases, people in rural areas are concerned about the loss of well water. I suggest to the minister that he must come forward with some protection for these people. I can cite one case in my riding in which the four cents a ton is like a form of double taxation to the industry; they pay \$80,000 or \$90,000 a year in municipal taxes on this four cents a ton or eight cents a ton.

That means another \$80,000 or \$90,000 goes into this government. And what the government is doing with that four cents a ton, I do not know. There has been no commitment that it is going back to the municipality for rehabilitation purposes to repair municipal roads. There is nothing that says this money is earmarked for any rehabilitation around that quarry. There are people who are subjected to a certain amount of dust that comes from quarry operations.

I suggest to the minister that there should be a requirement that these people should be compensated if they have to face expansion and if they have to go out and buy an air conditioner or something like that. There is no consideration about noise or vibrations from pit and quarry operations. All of these things, when one talks about rehabilitation, should be taken into consideration when expansion is permitted. This is an area of deep concern to me, and other members may want to speak on it.

Those are the two areas that I thought I would like to see the minister move into, particularly in the Pits and Quarries Control Act. If he is going to bring in that bill, we would like to know when it is coming forward. I think there have been

some good suggestions by some opposition members that environmental hearings should be held before the minister permits a further expansion of some of these pit and quarry operations. Let the proper avenue be open to the adjoining property owners to find out whether it is necessary at this time to permit it. There should be some safeguards to protect them for water loss or any other damage that may occur to their personal property.

We on this side look to the minister to reintroduce that bill. I think the intent of it is good. But I think there must be provisions in the new bill or in regulations to protect property owners adjoining these pit and quarry operations. That is my concern.

10:20 a.m.

I am rather disappointed that we did not have sufficient time to deal with a ministry as important as the Ministry of Natural Resources, because it relates to the forest industry and the mining sector in Ontario. The jobs related to this area play an important role in the economy of Ontario.

I think a new approach is going to have to be taken by the House leaders next year so there is ample time to go into the ministry's estimates in detail, to find out if money is appropriated on a priority basis in certain areas of concern in the many sectors of the estimates.

Mr. Stokes: Mr. Speaker, I want to speak about one lesser item in concurrence in supply for the Ministry of Natural Resources. One of them came to me this morning. I got a call from a commercial fisherman in Lake Nipigon who advised me that the fishermen have been told by the district officer, particularly the district office in Nipigon, that they will no longer be issuing commercial fishing licences out of those district offices; they will be taken care of from Toronto, from head office.

As you well know, Mr. Speaker, more than 3,500 commercial fishing licences are issued annually in Ontario. There was no explanation given. If in fact that is the case, no reason or rationale was given for the issuance of those licences out of Toronto, rather than in the district. They will be meeting with the ministry staff in Beardmore, I believe, on Saturday morning. I would like to have some rationale, if that is the case. If it is not the case, I would like some kind of official denial so that I can set the commercial fishermen straight on that, prior to the meeting on Saturday.

The other major issue I want to talk about

during this debate is something I alluded to during examination of the estimates of the ministry. That is the esprit de corps that once was quite prevalent within the Ministry of Natural Resources. During the estimates discussions, I voiced the opinion that, for all practical purposes, this had gone by the board. We do not get the same feeling in talking to people in the field in the Ministry of Natural Resources that once was the case.

To highlight what I am talking about, the obvious and very serious lack of communication between field offices and head office here, I want to refer to a letter I wrote to the minister dated November 26. I felt it was the most serious letter I had ever written any minister or any ministry since I have had the pleasure of sitting in this House. It was some three pages long, and I thought the minister would get back to me post-haste or at least make every effort to resolve what I consider a very serious situation.

The opposition member had the privilege of having breakfast with the Ontario Forest Industries Association—

Mr. T. P. Reid: I am not sure “privilege” is the right word.

Mr. Stokes: Well, “opportunity” may be the more appropriate word. We heard a loud harangue from Mr. Greaves, who is the president of the Ontario Forest Industries Association. With the help of some colleagues on this side of the House, we tried to set him straight. I am not sure we succeeded, but I know that in letters I received from others who were at the meeting in the industry itself, they agree with us on this side of the House that we are probably much closer to the truth about the state of the forest industry in Ontario than is the president of their own association.

I wrote this letter to the minister on November 26, and I thought he would give it the immediate attention it deserved. It centres on issuing a licence or a volume agreement to cut on the last remaining areas in the Thunder Bay-Nipigon district that are not under licence to a major company. The vice-president of woodlands for Domtar Forest Products had written a letter to the deputy minister, asking for the inclusion of the Black Bay peninsula and the townships of Hele, Stirling, Lyon, Dorion and portions of the McMaster and Corrigan townships.

The request was that those areas be included in the forest management agreement that is now being negotiated between the ministry and Domtar. Mr. Fleming, the vice-president of

Domtar, received a letter from the minister's deputy, Mr. W. T. Foster, on April 22, saying that these townships that I mentioned earlier, “which you request be added to the FMA area, are part of the Port Arthur crown management unit. In general, during the process of establishment of FMA areas, we endeavour to maintain the integrity of the crown management units. This point has been made, I believe, on several occasions in discussions with the forest industry.

“One of the reasons for this position is that on these units, the crown has various commitments, and this is true for the Port Arthur unit. For this reason, and at this time, therefore, the ministry cannot consider the addition of these townships to the Domtar FMA areas.”

One of the reasons that I know of so well is that there are between 30 and 40 small, independent operators who rely on those townships and who are going to continue to rely on those townships to retain the viability of those small units. They are even going to have to get into Black Bay peninsula on a selective basis, under good management plans, for a source of wood.

It was quite legitimate that Mr. Foster should have written to Mr. Fleming reminding them of the fact that they wanted to keep crown management units separate and apart from forest management agreements. So far, so good. On June 5, the Assistant Deputy Minister for Northern Ontario, Mr. McCormack, who had just refused Domtar the right to include the Black Bay peninsula and those other townships in Domtar's FMA, got a letter from the same Mr. Foster, saying:

“Re: K. Buchanan—Sapawe Mill Wood Supply.

“I met with Mr. Buchanan recently and discussed his progress to date in aggregating sufficient additional volumes of wood to provide the Sapawe mill with a long-term, adequate wood supply.

“Mr. Buchanan has requested, through the appropriate district offices, that any unallocated coniferous allowable cut in the crown management units in Thunder Bay and Nipigon be allocated to him for direct use at Sapawe or as material to trade with other licensees for wood that could be directed to Sapawe.

10:30 a.m.

“As you know, the ministry has placed an extremely high priority on establishing an adequate wood supply for the Sapawe mill. I believe Mr. Buchanan is bringing a flexible and dynamic approach to the situation heretofore lacking.

Would you please assure that your field offices are viewing Mr. Buchanan's request as one of top priority and that wherever possible and reasonable he be assisted in his attempts to solve this particular wood supply problem." That was a communication that went from the deputy minister to the assistant deputy minister.

Let me remind the minister that the Sapawe mill was once owned and operated by Domtar, the same company that had been refused the inclusion of the Black Bay peninsula and these townships in its forest management agreement on its general licence. Domtar for many years tried to negotiate a supply of saw logs for the Sapawe mill just outside of Atitokan, and known so well to my colleague, the member for Rainy River (Mr. T. P. Reid). It was chased out of Quetico Park. It was at one time given the authority to cut and harvest on a selective basis the northeast working circle of Quetico. It was chased out. The ministry said, "We can find you adequate supplies of timber elsewhere, adjacent to but outside of the park."

Mr. T. P. Reid: That is what it said at the time.

Mr. Stokes: That is right. After many years of harangue and trying to negotiate with Great Lakes Forest Products, Domtar said: "We do not need this hassle. We cannot find an adequate, reliable supply of timber to keep our saw-log operation going in Sapawe." So they put it up for sale. Buchanan Forest Products bought the mill. Why would anybody buy a mill when there was no timber to keep the mill in operation? Why would they do that? One would have to think that somewhere behind the scenes somebody said: "Buy the mill. It will make us look good in terms of the Atitokan situation," which was really disadvantaged as a result of Steep Rock Iron Mines closing down and Caland Ore closing down. They did get a small operation going, Pluswood, in handling wood waste and residues to keep it going. That is all very meritorious and I applaud those efforts.

I even applaud the efforts to provide wood to Buchanan if it is possible to do it without disadvantaging somebody else who was established long before Buchanan ever wanted to get into the business. Mr. Buchanan bought McKenzie Forest Products in, of all places, Hudson. As a result of some negotiations it was given the opportunity to get a supply of wood from the old Reed Paper licence and kept McKenzie Forest Products going.

But here we have a scenario where Domtar wants inclusion of these townships I mentioned, plus the Black Bay peninsula, to include in its

forest management agreement. The ministry said: "No, that isn't the way we are doing business with regard to crown management units. We want to keep them separate so that we manage them, maintain flexibility, maintain good forest practices and they will remain as crown management units." The ministry said it would issue volume agreements as it saw fit.

It refused it to Domtar. Now it is in the process of giving it to Buchanan. I leave it to the imagination of everybody who is listening as to why they would refuse it to a well-established company like Domtar and give it to Buchanan.

Let me go back to one sentence in the letter I quoted from earlier. This is Mr. Foster, the deputy minister, talking to Mr. McCormack, the assistant deputy minister: "I believe Mr. Buchanan is bringing a flexible and dynamic approach to the situation heretofore lacking." I happen to know Mr. Buchanan well. He used to bring in plywood bolts to the old multi-ply plywood mill in Nipigon that has since been taken over by MacMillan Bloedel.

Every good forester in the Ministry of Natural Resources just shudders when he sees Buchanan coming. If there is anybody who can mine the forest, high-grade the resource—because he is interested primarily in saw logs, and if something gets in the way he knocks it down, and if there is a ready market for the pulp wood and other species he can harvest, then he will harvest that too. The people in the Nipigon, Thunder Bay, Sioux Lookout and Red Lake districts just shudder when they see Buchanan coming.

The government can ride herd on him and make sure he engages in good forest practices so that we can gain the maximum benefit from the areas it allows him to go into, either under licence or under a volume agreement on a crown management unit, but it has not happened in the past. The obvious question is, why is Mr. Buchanan being given preferential treatment, treatment that was denied to Domtar?

Let us get back to what the ministry people in the field are saying and the reason I think it is so important that I raise it here. As a result of my letter to the minister on November 26, I suppose the word went out from the minister to his deputy, on to region in Thunder Bay and back to district in Nipigon saying:

"Stokes is complaining that you denied this to Domtar but you are giving it to Buchanan, you are violating your own standards with regard to the management of crown management units,

you are not living up to good forestry practices and you are going to do something we think is wrong. Why are you doing this?"

So the word went back saying, "Give us an answer for Stokes, something plausible, something that will make him go away and forget about the whole thing." I am not going to go away and forget the whole thing because it gets to the very heart of either our ability or our inability to manage the forests and maximize the benefits for everybody in the province and so that there will be something there for future generations.

Let me quote from a letter that went to the district manager in Nipigon. The subject was, "Allowable cut commitments to Buchanan Forest Products Limited, requested for December 7, 1981.

"These figures have been derived as requested in our meeting of November 23, 1981. However, I cannot and will not support the use of these figures for any volume commitment to anyone. The reasons are twofold: (1) The inconsistency of the FRI"—that is the forest resources inventory—"data base used in these calculations is unacceptable." Table one is very technical and I will not bore the House with it.

10:40 a.m.

"These inconsistencies were pointed out to the region and Thunder Bay district in a memorandum dated October 29, 1981. They were also brought to your attention,"—that is the district manager—"Mr. Rudolph"—who is the regional forester—"and to Mr. McHale's attention in a meeting on November 13, 1981." Mr. McHale is the acting regional director in the northwest region out of Thunder Bay.

Quoting further: "At that time, it was pointed out that revised data would be available on January 30, 1982. On November 23 I was instructed to conduct calculations based on present data."—In my own words, it is unreliable data.

"(2) The FRI system was not designed to make volume commitments. It is simply an indication of the potential area for wood supply. To verify the authenticity of the FRI, operational cruises should be conducted throughout the area and the necessary adjustments—

Mr. Nixon: Are you going to talk all afternoon, too?

Mr. Stokes: I happen to think this gets to the very heart of our ability to manage our forests.

Mr. Nixon: I see. Please proceed.

Mr. Stokes: With your permission; thank you very much.

Mr. Nixon: I just wanted to bring to your attention that we have had quite a bit of this good stuff.

Mr. Stokes: I could have been half-finished without your interruption.

Mr. Nixon: I see. That means you only have 30 seconds left.

Mr. Stokes: "Volume commitments can then be undertaken. Cautionary clauses may remove the MNR's legal responsibility for wood shortages caused by FRI-based commitments. However, such statements are in direct conflict with the MNR's stated objective of sustained yield management. If this is not our objective, why are we undertaking a 20-year management plan?"

"Mr. Rudolph stated in our meeting of November 23 that Mr. Buchanan is separate from our service and cannot be required to reason with and wait for a solution to our internal problems." When they are referring to their internal problems, it is their inability to get a realistic inventory on those areas that Mr. Buchanan has requested. One really cannot make a decision until one knows the nature, the type and the volume of the resource one is talking about.

"I agree that we are a separate entity." That is, the ministry is a separate entity from Mr. Buchanan. "However, Mr. Buchanan purchased the mill; the people of Ontario did not. I am a public servant and must manage the forest in the best interests of the people of the province. I regret that I inherited data of this nature, but I will not allow my professional judgement to be intimidated by outside interests. If the volumes are verified to be there, then I can comply with Mr. Buchanan's request."

That was signed by a forester in the Nipigon district. I could go on at great length and say what another forester has said about this area under question.

The minister has gone to great pains, and I applaud him for doing this, in saying that no major long-range decisions will be made where they affects a variety of uses and users. That is the case with regard to this Black Bay Peninsula. His own foresters in the field are saying, "We should not be doing it because we lack merchantable timber in sufficient quantities on a long-term basis. We should not issue the licence because of the conditions of the forest on the peninsula."

Concern is being expressed by your own fish and wildlife branch for the moose population

there, the difficulty of access and its ramifications if access is eased. There is concern on the part of the local population about the possibility of opening up Black Bay Peninsula area. And there is concern for supply by the local timber operators—that is, those you have been dealing with and supplying timber to.

Mr. Buchanan likes to think there are about 130,000 cunits of wood there ready for his purposes. The ministry's own people are saying, "We think there may be 30,000 cunits but we cannot even say that until we get a more accurate picture."

To make a long story short, I think this is symptomatic of what I was trying to tell the minister during his estimates. When one gets honest, sincere, hard-working, dedicated people in his ministry who are trying to do a good job with regard to forest management out in the field, why does the minister not listen to them? When he answers my letter will he come up with the best possible information that is available from these honest, sincere, hard-working, dedicated people in the field.

If the minister will back them up in the very thing they are trying to do—to preserve the industry, to make it viable, to get it back on the tracks so that what they are attempting to do will be the rule, not just the exception—he will do the people in the field a favour, he will do everybody in Ontario who relies upon that industry and that resource for a livelihood a favour, and he will be doing himself a favour.

Mr. T. P. Reid: Mr. Speaker, I want to make three short comments. One is that I am concerned about the matter raised by the member for Lake Nipigon. He and I have had numerous conversations about the mill at Sapawe. I am concerned that we keep the people at Atikokan employed. From our conversations I know the minister is doing what he can to provide fibre to that mill.

If there is a problem with the gentleman in question, whom I do not know personally, I am presuming the minister and his staff will ensure there are good forest practices not only in the Atitokan area but elsewhere where this gentleman happens to be involved. The minister has also had correspondence and conversations with the township of Atitokan and I hope we will have a solution to that shortly.

I will not repeat it ad nauseam but I am still very concerned about the forest regeneration and forestry practices generally in the province. Unfortunately, because we did not have time to get into this in detail in the estimates, it is still the major problem in the minister's portfolio.

We would like to put on the record once again the minister has indicated in the House and by letter to me that he will have some kind of program in regard to nonresident use of crown land. The minister has had quite a period of time to deal with this question. We are still allowing nonresidents to camp for up to three weeks on crown land with no charge, and all the problems that brings with it. I hope by the spring the minister will have some kind of program, if nothing else, then a demonstration project or something of the sort, which quite frankly will not satisfy me, but at least some indication of a move on this problem.

Mr. Eakins: Mr. Speaker, I have two quick comments. I do not want to get into areas of estimates that have been under discussion but I simply want to leave with the minister my concern that the ministry use every possible effort to use the services of Dr. Ed Crossman, who is one of Canada's, if not North America's, leaders in the field of muskie research. I hope they will not only retain him but enlarge the work going on at the Nogies Creek sanctuary. I am sure the minister is aware of this. I have sent him a letter on Dr. Crossman's work on it. In the interest of research I hope the ministry will use this service and ensure his program is adequately funded.

10:50 a.m.

Second, I do not know if the minister replied during the estimates, but I made the suggestion that I thought it was time in the interests of natural resources in Ontario that we establish a natural resources museum. I ask the minister if that is under consideration or if he will take it under consideration in the very near future.

Mr. J. A. Reed: Mr. Chairman, I will be mercifully brief, as well. I think the minister will probably agree with what I am going to say. I think it is very appropriate at this point in our history when the energy critic makes a comment to the Ministry of Natural Resources. I would like the minister to pass on what I am going to say to his senior officials in order to gain recognition for the fact that if we are serious, as the Minister of Energy (Mr. Welch) says we are, in moving more quickly towards the development of alternative and renewable energy forms, then the key to that development really lies with an understanding and an expediting by the Ministry of Natural Resources.

I am very concerned at this time that the ministry is not as fully prepared to recognize its role in the development of alternative and

renewable energy as it might be. The ministry is probably the most decentralized ministry and one of the largest and most cumbersome of all ministries in the government. Policies made by the minister very often become warped or adapted or changed at the firing line.

The time has come for that to change, especially as it relates to the government's highly touted thrust on alternative and renewable energy development. I would respectfully ask the minister to undertake a thorough examination of the processes that take place within his ministry in order to accommodate what I believe is a most necessary, vital and opportune part of the future of the province.

Hon. Mr. Pope: Mr. Chairman, I will be brief. I would like to thank the honourable members for their comments during this concurrence discussion. I will go in reverse order. I am personally committed to providing opportunities for private generation of electricity using potential hydraulic sites in Ontario. We have recently indicated to the Ministry of Government Services that it should be preparing some tenders on specific sites that the honourable member is aware of.

We look forward to these projects being expeditiously undertaken by the private sector for industrial and for domestic use. We think that is a viable option, the honourable member is quite right in that. It is something we hope to have an efficient procedure in place for in the near future. A couple of sites are now being processed.

I agree with the critic for the Liberal Party with respect to Dr. Crossman's work. The problem, as usual, is working out some funding mechanisms, either partial or entire.

With respect to the honourable member for Lake Nipigon, it is not true that all commercial licences would be issued out of Toronto. New commercial licences that are not renewals will be examined in Toronto and will probably be issued by myself. The renewals will be handled on a regional basis. The reason there might be some confusion in the field is because the regulations set up a normal delegation of authority to me and I wanted to split off those two different functions. That may be creating some uncertainty in the field. That was discussed earlier this week.

The renewals would be handled in the field. Whether it would be in a regional or a district office has not yet been decided. If that makes any problems in terms of processing or in terms

of access locally, we will make some accommodation for that problem and make sure it can be processed in an expeditious manner.

Mr. Stokes: You will not put anybody in jail because he has difficulty renewing his licence.

Hon. Mr. Pope: No, we will not. With respect to Mr. Buchanan, the honourable member did send me a detailed letter. I have been asking for a detailed reply that will satisfy the honourable member in terms of the amount of information we provide to him. It is true there is a conflict between the request from Mr. Buchanan—to some degree supported by the community of Atikokan, which sees this as an opportunity for industrial development—and our own concerns over wood supply.

To the best of my knowledge, and I have tried to research this point, we did not have any understanding at all with Mr. Buchanan at the time he bought the Sapawe mill.

Mr. T. P. Reid: The Minister of Northern Affairs (Mr. Bernier) might have had that understanding.

Hon. Mr. Pope: I also pursued that point and I do not think that is true or accurate either. I will leave it at that. As many others do, I think he has from time to time applied tous for an increase in allowable cut for his mill. We have not made any final decisions on it. I have seen all the options that have been developed in the field. I am aware of the critiques that are being evolved with respect to those potential options and it is certainly something we are not going to rush into without examining all the potential problems.

Mr. Stokes: Like public input.

Hon. Mr. Pope: There already has been quite a bit of public input into this issue.

Interjection.

Hon. Mr. Pope: With respect, I think so. In Atikokan there certainly has been. I met with delegations. I am aware of the concern on the other side. I am aware of the concerns of the professional foresters within the ministry, both in terms of the precedent and the procedure, the information base, and also some of the other concerns the fish and wildlife branch has brought to my attention.

I am not going to rush into a decision without taking all those things into account. I have made no decision at this time. It is going to be some time before I am going to be able to. We are caught in the traditional balance between—

Mr. Stokes: Their integrity and yours is at stake. I can't put it any more bluntly.

Hon. Mr. Pope: As is usual in the many decisions that have to be made, whether or not it is competing interest, someone will question one's integrity when one makes a decision. I cannot avoid that. All I can do is try to look at all the facts that are presented to me from both sides and try to make the best judgement I can.

The member for Rainy River (Mr. T. P. Reid) indicated his concern with respect to nonresident recreational use of lands in northwestern Ontario. He has brought this matter to my attention on numerous occasions. For the member for Nickel Belt (Mr. Laughren), this is one of the issues that is addressed in the letter to the Premier (Mr. Davis) he quoted from in terms of use of lands and resources on a paying basis. One of the concerns the member for Rainy River has raised is having nonresident campers pay for the right to camp on crown lands. That is just one of the issues.

The others are things like recreational facilities in provincial parks. We have wind surfing, sailing, those kinds of businesses that people want to operate in the park. We have also had a lot of discussion with respect to resource utilization with anglers' and hunters' organizations and sports fishermen's clubs, this kind of thing, with respect to their request to be able to create hatcheries, stock lakes and own the fish they stock the lakes with.

11 a.m.

Our position to date has been, and will be, that once the fish hit the water they become a public resource. If one wants to commit himself to restocking the lake, that is a laudable public goal, but once the fish are put in the lake they are public.

The other issue with respect to that letter from the Premier is the demand by cross-country ski clubs and others to get exclusive land-use permits from us and charge their members for the use of the trails they create. These are the kinds of issues I had in mind in that letter.

I have to say to the member for Nickel Belt I may have been unparliamentary in my language yesterday and, if so, I apologize and withdraw the comment. I was trying to say that a realistic interpretation of my letter to the Premier was that I saw a potential United States initiative as being a demand that we barter on water supply issues. I saw that creating problems for us and wanted to have a look at it with a number of other ministries that have some jurisdiction over water.

Mr. Stokes: Like Chicago siphoning water out of Lake Michigan.

Hon. Mr. Pope: It would even be worse than that. I was trying to outline in the letter that it was a potential issue. I know there are international agreements in place which try to control that kind of activity, specifically in the Great Lakes. I still think it is something that will evolve into an issue in the next decade or so.

I want to indicate in closing that I think the forest management agreement that was signed should be put in the historical context of the area we are discussing. Spruce River forest has been licensed to the industry since before 1926. In 1971, an 18-year licence was signed with Abitibi-Price for that specific territory. That licence gave them the right to cut all species there. It is page three of schedule A, I believe, in the existing licence of 1971. We are talking about an area that was already under licence to Abitibi-Price.

Mr. Stokes: The one that was heavily burned over in 1980.

Hon. Mr. Pope: That is correct. What we were trying to do was also to get the company involved in the reforestation program in that same area where it already had the right to cut. In evolving that process, we also seized the opportunity to withdraw 10 to 15 per cent of the area from harvesting because we saw it as necessary for other resource uses.

We got staff from all the branches of the ministry and sent some field researchers into the area, had a look at the trout streams, the trout lakes and this kind of thing, and we evolved our attempt at a multiple resource planning mechanism within the context of the forest management agreement.

On the basis of that, one has the 10 to 15 per cent exclusion to start with. They deal with such things as trout streams, nesting sites, moose yards, cottage recreational lakes, waterway parks, canoe routes, a wilderness park, some public access points and some tourist outfitters' camps. In each of these areas, we developed exclusions to protect what we thought were necessary areas for other uses in that forest management agreement area, plus we developed an addendum of cutting practices that would be allowed adjacent to these areas.

That includes a restriction on clear-cutting that includes cut and uncut alternating stand patterns and a number of other items such as deferred cutting and that kind of thing. The whole package will be not only better for us for harvesting techniques, but also a more integrated approach to reforestation.

If one puts all that into context, remembering

that it is an existing licensed area, I think it is a progressive step. We tried to apply the same principles we are trying to implement through strategic land-use planning in this process. There is no doubt that as we evolve this process we will probably get better at it. There will be more specific decisions made with respect to resources. I think we have done a good job to date and we will continue to work as hard as we can at it.

Mr. Kerrio: You have been in charge for 40 years. Are you forgetting that? Who has been in charge of this whole deal?

Hon. Mr. Pope: I think we have a good economic base in the forest industry.

Mr. Kerrio: But minimal reforestation.

Hon. Mr. Pope: What would the member know about it?

The Acting Speaker (Mr. Cousens): Order. The minister will confine his remarks to the concurrence.

Mr. Kerrio: He's still green behind the ears.

Hon. Mr. Pope: I may be green behind the ears, I will admit that, and I may not have the member's experience, but maybe he should go and look at the forest management agreement and the maps before he gives his judgement on what is going on.

Mr. Kerrio: It is a disaster.

Hon. Mr. Pope: Maybe he should go and look at the efforts and the money we are putting into forest management, the reforestation in northern Ontario through the Board of Industrial Leadership and Development program and direct expenditures in this ministry.

Mr. Laughren: Because of your past negligence—

Hon. Mr. Pope: It is not because of our past negligence at all. We have a good record in reforestation and we are going to improve it—

The Acting Speaker: Order, order. The minister will confine his remarks to the estimates.

Hon. Mr. Pope: I am dealing with the expenditures on reforestation, Mr. Speaker.

The Acting Speaker: Please continue.

Hon. Mr. Pope: The honourable member has the numbers. We gave them to him this fall. He knows the commitment of this government to reforestation so he should not say it is diminishing or inadequate. We are spending a lot of money on reforestation. It is increasing—

Mr. T. P. Reid: But it is not adequate.

Mr. Stokes: It is the success rate that counts; it is not how much money you are spending.

Hon. Mr. Pope: It is the success rate that counts. One of the problems with the success rate is the fact that some of the nurseries are located too far south. That is precisely why, over the past two months, we have been letting those contracts to nurseries in all parts of Ontario so that we can provide for that. So we are making progress.

Mr. Stokes: You are getting the message.

Hon. Mr. Pope: I just wish some of the members on the other side of the House would have a look at what is really happening instead of sitting back and taking a slapshot approach to this issue. Go and see the contracts, go and see the financial commitments we are making. I am not trying to be provocative. I am suggesting to the members—

The Acting Speaker: Order. I asked the minister to confine his remarks to the expenditures.

Hon. Mr. Pope: Look at the forest management agreements and see what is being done.

Mr. T. P. Reid: We have looked at them, and they do not provide anything—

Hon. Mr. Pope: The member has not looked at them. No one from the member's party has yet been over to the Whitney Block to look at the maps.

The Acting Speaker: Order. There is not to be a debate in the form of back and forth.

Hon. Mr. Pope: I am sorry, but the member has not been over.

Finally, to the member for Brant-Oxford-Norfolk (Mr. Nixon), with respect to his suggestion for a northern tour, we are working on one. I would like to involve all the members. I have discussed it with some of the members on the opposite side. I could guarantee a wide range of opportunities to visit some good and bad areas, some areas of success and some of failure with respect to reforestation, forest production and mining exploration operations going on in northern Ontario. With the help of my colleagues the critics from the opposition parties, we can arrange such a tour.

But it is the member for Nickel Belt who will have to be responsible for members' success in terms of fishing. He has more experience than I. He knows where the lakes are, so members will have to work that out with him.

The Acting Speaker: Shall these estimates be concurred in?

Those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

ROYAL ASSENT

The Acting Speaker: I beg to inform the House that in the name of Her Majesty the Queen, the Honourable the Lieutenant Governor has been pleased to assent to certain bills in his chambers.

Assistant Clerk: The following are the titles of the bills to which His Honour has assented:

Bill 151, An Act to amend the Credit Unions and Caisses Populaires Act;

Bill 156, An Act respecting the City of Barrie and the Township of Innisfil;

Bill 183, An Act to incorporate the George R. Gardiner Museum of Ceramic Art;

Bill 184, An Act to confirm the Revised Statutes of Ontario, 1980;

Bill 185, An Act to amend the Revised Statutes of Ontario, 1980; and

Bill Pr45, An Act respecting the Armenian Community Centre.

CONCURRENCE IN SUPPLY,
MINISTRY OF MUNICIPAL
AFFAIRS AND HOUSING

Mr. Philip: Mr. Speaker, in the light of the numerous members who want to speak on various estimates, I will not take more than three or four minutes.

I would like to simply put on the record a couple of concerns I have respecting the manner in which public housing is being operated in this province. I have dealt with this at some length before with the minister, but I would like to deal with some specific proposals which I ask that he seriously consider, although he has been very reluctant to in the past.

11:10 a.m.

It was with considerable dismay that the inquiry into Ontario Housing and the very excellent report done by the justice committee I chaired were voted down by the majority Conservative government. It was fairly clear we had gone into considerable depth in our investigation and that members on all sides of this House had come up with some very concrete proposals that would have made the Ontario Housing Corporation seem not only more humane, but also more efficient.

I suggest to the minister that there are some great problems at present in the public housing sector. There is the whole problem of Metro Toronto Housing Authority's secrecy, which still embitters tenants, and that housing authority is certainly not the worst. As we travelled around the province we saw exactly what an

abominable state the Hamilton-Wentworth Housing Authority was in. In contrast, Ottawa seems to have been able to gain the confidence of tenants and tenant representatives in a way that was not evident in cases such as Hamilton. I think the minister has to exercise some leadership in this.

In terms of the Ontario Housing Corporation, I think we should be placing an emphasis on improving the quality of life in public housing owned by OHC and on providing increased tenants' rights and participation in the management of the OHC portfolio. In that light, I would recommend a number of things that should be done:

1. Make provision to ensure elected tenant representation on the boards of local housing authorities with elections being supervised by the board and open to all residents in the housing authority.

2. Open all board and committee meetings to the public with the provision that confidential items such as those involving personnel, tenant records and real estate transactions be discussed in camera.

3. Encourage tenants to take over co-operative management of the housing projects where they have demonstrated they have an organization that can do that kind of thing.

4. Establish procedures for each OHC project to hold an annual meeting of tenants and project management, at which time the budget priorities for that project could be discussed.

5. Arrange for tenants and tenant organizations to be fully represented at all levels of the decision-making of OHC.

6. Allow OHC tenants one transfer to another housing unit as a right and additional transfers as requested if the tenant is willing to pay expenses connected with such transfers and if those transfers do not fall under the criteria that the ministry or OHC now accepts.

7. Allow transfers on the grounds currently agreed to by OHC as well as in cases involving domestic violence and emotional health and transfers to a co-operative housing unit.

8. Give tenants the right to appeal an eviction or refusal of a transfer request directly to the board of the local housing authority and to be represented at that board at the time at which the decision is made.

9. Guarantee tenants the right of access to personal files and a right to file a rebuttal to any information therein.

10. Make public housing available to anyone

who cannot afford to find shelter in the open housing market, including single persons under 60 years of age.

This is a particularly serious problem. We see now the process by which Ontario Housing is evicting singles, or empty-nesters as they are called. These are people who are poor but who happen not to have children at the moment.

11. Prohibit the eviction of a person from OHC housing or the denial of a transfer because of a change in family composition.

12. Establish a maximum rent ceiling for each type of unit which reflects rents for comparable accommodation in the open housing market.

13. Make provision for an annual review or automatic indexing of the income levels established in the rental scale so that they can keep pace with inflation, thereby ensuring that dollar levels at which tenants must pay a higher percentage of their income on rent would increase over the time in step with the cost of living.

14. Prohibit Ontario Housing Corporation from selling any housing projects except to another public agency or to a housing co-operative, and instead require OHC to rebuild or renovate older projects where necessary, in order to better house the current residents.

That last one is particularly sensitive in my area, where the government managed to perform what can only be called a fraud on the tenants.

I could talk, as the minister well knows, for several hours on other aspects of housing, but I simply wanted to put on the record some personal concerns about OHC and its operations.

Hon. Mr. Bennett: Mr. Speaker, I wish to make one or two very short comments. I have a great deal of faith in the policy decisions of the Ontario Housing Corporation.

For the edification of the members, that housing corporation is made up of individual citizens from across this province who not only use their best judgement in relationship to the human requirements, the social requirements and the economic stability and wellbeing of the government of Ontario and the people of this province, but also speak on behalf of Canada Mortgage and Housing Corporation, since OHC is a 50 per cent partner in all the public housing in this province.

I said to the member in my estimates not so many weeks ago that the empty-nester policy will be dealt with and enunciated by the OHC board of directors, I would trust some time in

January or February. Some of the views expressed by the various organizations representing public housing tenants will be taken into consideration at that time.

The last point I make is about selling off some of our stock. Only once did we in the Ontario Housing Corporation dispose of a particular building, except one other single home, which, the member knows very well, was under a long debate by his party and others in relation to a family where some health conditions prevailed and where the OHC decided to sell that single-family unit to that individual family.

The apartment building we did sell—I said this in my estimates of a year ago; I said it in my estimates of this year; and I suppose if the subject is raised we will be saying it in the estimates in years to come—very frankly, it was a decision arrived at not singularly by OHC. I told the member that, and I repeat it, CMHC was a 50 per cent partner and was not prepared to put up the capital funding nor share in the capital funding program of refurbishing the building in question.

The government and OHC and this province had to make a determination. That came very simply. It was to put the unit up for sale on public tender. I think the member well recalls there were three or four tenders submitted on that structure and the high bidder purchased the building. The sale was completed by OHC to the high bidder. There were others who would have argued they should have had first rights. Even though they did not bid as much, they thought they should have had first rights to purchase the building.

Mr. Philip: For a few dollars the minister could have sold it to a co-op, but he did not do that.

Hon. Mr. Bennett: It is interesting to hear this member now telling me we should just disregard the public tender and start selling off to other organizations. It is public funding that belongs to the federal and provincial governments. The procedure of disposing of that unit was decided on by CMHC and indeed it would be the same under normal circumstances. I am sure the member for Niagara Falls (Mr. Kerrio) would say that, when offering a particular unit that requires to be disposed of, the right attitude and direction for a corporation to take is to do it through public tender.

I say to this House it is easy to criticize OHC, but this government, through the funding of the people of this province and Canada, has supplied 84,000 units owned by the taxpayers at a

cost of some \$2 billion. Who knows what they are worth today on the market, but they cost us \$2 billion. We have another 10,000 units that we rent from the private sector, and through other public agencies, co-ops, nonprofit organizations, limited dividends and so on, there are about another 56,000 units that supply the public requirements in Ontario alone.

While it is easy to criticize, and I repeat this, I think this government and the people of this province have recognized their social responsibility and have put the money up front and centre, built the units, and continued to try to supply the market. It would be wrong to tell members we are ever likely to meet the maximum demand made upon us on the waiting lists of this province for public assistance to housing. I have said more than once that if any government ever tries to meet the demand of the maximum number of people on a waiting list at any given time, I can assure members there will be surplus units in certain markets at any given time as a result of trying to achieve 100 per cent completion of the waiting lists.

11:20 a.m.

One of the things I conclude my remarks with is that we must take into account that in public housing, as in any type of housing, there is a movement of tenants and our experience in this province is that about 11 per cent of the tenants—

Mr. Philip: And the ministry's list is getting longer and longer.

Hon. Mr. Bennett: I fully recognize that. But if the member would look at the statistics put out by OHC—

Mr. Philip: It is because you are doing nothing.

Hon. Mr. Bennett: Just listen for a minute, just for a minute. He should read the statistics put out by OHC about the number of people on the waiting list who, after being called when a unit becomes available, are not interested.

Mr. Philip: You call them two years later. They have found alternative accommodation by then.

Hon. Mr. Bennett: They can find all the reasons in the world why they are not interested, but they are not interested in taking the units that are being offered. We are now in the position of offering a unit for them to move into roughly two and a half to three times to an applicant.

The Ontario Housing Corporation has served

this province well. While we have ambitions and desires to bring on more units, it takes time, and we work closely with Canada Mortgage and Housing Corporation.

The Acting Speaker: Shall these estimates be concurred in?

Those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, further to what I said when the House began at 10 o'clock this morning, I wish to indicate that it has now been decided we will go into committee of the whole to deal with Bill 147. When we come out of committee of the whole, we will deal with second reading of Bill 194. Following that, we will have the concurrence in supply for the Ministry of Agriculture and Food. We will deal with Bill 191 in committee of the whole when the House sits this evening.

House in committee of the whole.

MUNICIPAL BOUNDARY NEGOTIATIONS ACT

(concluded)

Resuming consideration of Bill 147, An Act to facilitate the Negotiation and Resolution of Municipal Boundary and Boundary-related Issues.

Mr. Rotenberg: Mr. Chairman, in accordance with the usual practice of the House, may I have permission to have the staff sit in front of me during committee of the whole deliberations?

The Deputy Chairman: Agreed.

On section 19:

The Deputy Chairman: Ms. Bryden moves that section 19 of the bill as amended be further amended by striking out all the words after "section 14" in the second line and substituting the following, "and any subsequent order containing the rescission, change, alteration or variation shall be subject to the provisions of section 17."

Ms. Bryden: Mr. Chairman, so far in this committee stage I think the score on amendments is the New Democratic Party one, and the government nine, but at least we did succeed in getting one amendment passed which I think was important. That was in regard to the form of public notice before an order under the act is issued.

The government agreed with us there should

be public notice in a newspaper rather than leaving it to the minister to decide whether to post it in a telephone booth or any other place he thought was suitable. I hope the score will go up and this will be another amendment the government might agree to.

We have already amended section 19 once on an amendment by the government. That indicated they felt the section was unsatisfactory and their amendment was an attempt to meet this dissatisfaction. However, I do not feel their amendment meets the problem with section 19 as amended.

The problem is it gives the government power, with regard to any order, to "rescind, change, alter or vary any order made under section 14" without notice to the public. That is entirely inappropriate. Any order made under section 14 does not come into effect until 28 days have elapsed since a public notice was given of the order. The same rules should apply to any change, variation, alteration or rescission of such an order. That is what my amendment asks, that we provide for the same procedure on changes as on the original order.

The minister did add these three lines to the amendment, "Where in the opinion of the minister an order made under section 14 does not fully carry out the intent or purpose that was intended," then the Lieutenant Governor may proceed with the change without any public notice.

I still think that does not solve the problem of letting the public know. A change or a rescission could affect a great many people in an area subject to a boundary adjustment. It could affect property rights. It could affect all sorts of things affecting the lives of those people. I cannot see why the change should not be delayed for the same 28 days that the government delayed the original order's effective date.

In the debate on the minister's amendment, he admitted he could understand our concern and he thought, "It leaves it somewhat wide open," meaning it leaves the situation rather wide open and the ministerial powers fairly undefined. I do not think his amendment really closes that openness. I would urge the House to adopt this change in principle, which is that there must be public notice of any change, variation or rescission.

Mr. Rotenberg: Mr. Chairman, as the member for Beaches-Woodbine indicated, we did make an amendment which carried in this House the other day which certainly closes any "wide open" situation that was in the bill and the

act. There is no question the intent of the bill originally was that the minister would only have power to make minor adjustments where the act or the agreement did not carry out the intent.

This is now done by the Ontario Municipal Board. It is in the power of the OMB to make these minor adjustments to orders where, for some reason, the wording or the intent is wrong. They can make minor adjustments now in their orders to carry out the original intent of their order.

11:30 a.m.

I find it quite in order that when we come to the end of an agreement, as we did yesterday in the Barrie-Innisfil annexation bill, and on review they find that one or two words are wrong or some sentence does not quite carry out the intent, the Lieutenant Governor in Council should have the power to make these minor adjustments.

I can assure the honourable member and the House that the intent of this is only for clarification, to clear up minor points. It certainly will not be abused. For these reasons, I will not vote for the amendment.

The Deputy Chairman: All those in favour of Ms. Bryden's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 20 agreed to.

On section 21:

The Deputy Chairman: Ms. Bryden moves that section 21 of the bill be struck out and that the sections of the bill that follow be renumbered accordingly.

Ms. Bryden: Mr. Chairman, this is probably the most important section in this whole bill, because it really is the grand-daddy of all general discretion clauses in legislation. While the minister said that we did pass a similar clause in the Barrie-Innisfil bill, which legislated a boundary agreement, the legislation we are dealing with today is of a general nature, affecting all boundary adjustments, whereas the Barrie-Innisfil one was legislating a specific agreement. There may have been some details that were overlooked that would not make that agreement difficult to operate. Therefore, perhaps the minister needed some power to make small variations in it.

In generic legislation of this sort, affecting all boundary disputes, boundary changes and all boundary-related issues, I think that to have a

clause of this sort in the bill is completely inappropriate in a democratic society. Let me just read into the record what the clause says:

"The Lieutenant Governor in Council, upon the recommendation of the minister, may authorize all such acts or things not specifically provided for in this act that in the minister's opinion are necessary or advisable to carry out effectively the purposes or intent of this act."

If we have this kind of legislation in effect, we really do not need the Legislature. It is part of the trend that I see in this new majority government to strengthen the executive branch of the government and to weaken the legislative branch. If there are defects in this general piece of legislation for boundary settlements, they should be brought back to the Legislature each session, if necessary, for amendment.

The Legislature should have the power to decide whether the changes are necessary. But to give the cabinet the power just to change anything in this whole field is, to me, the road to dictatorship. It is the sort of legislation that one might expect in the Soviet Union. In fact, one might even call it the jackboot approach, which we are seeing in Poland these days.

It gives the government complete power to ignore the Legislature. We have seen them ignoring the Legislature on the requests for opening up on Suncor information or reconstituting the Re-Mor inquiry. This is the sort of action that we appear to be getting from this majority government.

I certainly would not like to entrust them with the powers to simply legislate in the boundary adjustment field without coming back to the Legislature. So I strongly urge all members of the House to vote against the inclusion of this clause in this act.

Mr. Nixon: Mr. Chairman, I want to support the member for Beaches-Woodbine in her objection to section 21. With respect to her, I think she is perhaps a bit extreme when she compares it with the powers used by the jackboot authorities in Warsaw. Maybe she got a bit carried away.

In fact, these extraordinary powers, which are almost ridiculous in their completeness, are at least restricted to the purposes of this bill, which has the principle of assisting and, in some respects, compelling the solution of boundary disputes among municipalities.

I suppose the jackboots might be in order in dealing with some municipalities, but I have a feeling, as I look over at the parliamentary assistant, that he is hardly built for the exercise

of that sort of authority, either in his background or his physique. It just does not seem to be the kind of charge that frightens me very much. But I do object to the inclusion of the section in the bill to a somewhat lower degree.

I believe the member for Beaches-Woodbine is entirely correct when she says that to put in a section which really says that if in any case we have made a mistake, the minister has the power to make the recommendation to his colleagues in cabinet and it will be as effective as if it were included in the bill, is a very bad approach to legislation and opens the door for all sorts of abuse.

In our positions as members of the Legislature, we must protect ourselves and the public or the province against this. If the minister would read it to himself one more time, I am sure he would see that, without any equivocation at all, it is an absolutely unacceptable section, that the powers have been made extremely complete in dealing with the matter.

If some flaw appears, the Legislature, being in session about half the time during the year, as the honourable member pointed out, would be glad to listen to an argument put forward by the government that the powers should be modified, expanded or increased.

I ask the parliamentary assistant to look at this and not be afraid to use his own good judgement. After all, he has been asked by the Premier (Mr. Davis) and by his colleague the minister to handle the conduct of the bill in the Legislature. From his own background, both in municipal politics and as, believe it or not, a kind of small-l liberal in a sense, he will surely see that such a section is anathema in a democratic society.

He cannot vote for the extension of those powers. I suggest to the minister that he can read it and he can vote against the section, as has been recommended by the member for Beaches-Woodbine. I do not think it affects the bill in any way. If, in the utilization of the bill, he finds there is some flaw, we will be very glad to consider it, as early as March, April, May, or any time. I do not think this section should be approved by the House.

Mr. Rotenberg: Mr. Chairman, like the member for Brant-Oxford-Norfolk (Mr. Nixon), I think the member for Beaches-Woodbine was a little out of line in comparing anything done in this House with what may be going on in eastern Europe.

Mr. Philip: Poetic licence.

Mr. Nixon: Well, to be fair, she said it could lead to that.

Mr. Rotenberg: I think those of us on this side of the House, and I personally, share as much the concerns expressed the other day about what is going on over there. I personally resent any implication that I and my colleagues would be in any way to be compared to those people.

That aside, there are several things I would like to comment on.

11:40 a.m.

Wording like this is in a number of acts already. It is in all the regional acts. It has never been abused. The Ontario Municipal Board has this power under the Municipal Act and its own act. I have read this again carefully while the member for Brant-Oxford-Norfolk was speaking. I think the key phrase is that the minister or the Lieutenant Governor in Council "may authorize all such acts or things not specifically provided for in this act"—

Mr. Nixon: "All such acts or things not specifically provided for."

Mr. Rotenberg: In other words—

Mr. Nixon: Anything you ever thought of; you could do anything else.

Mr. Rotenberg: I did not interrupt you.

Mr. Nixon: Well, all right, but if you are going to quote—

Mr. Rotenberg: Mr. Chairman, I did not interrupt my friend. I ask him to listen for a moment.

Despite the fact that this government is probably the best that can be achieved in this province—certainly the people in the province agree—I will agree that we are not totally perfect, and from time to time, especially dealing with the boundaries and dealing with municipalities, they come up with wrinkles that we really cannot anticipate. Something may come up in a dispute or in a bill which is not specifically authorized in this act, and yet both municipalities agree that it has to be part of an agreement.

All the bill says is that if there is an agreement coming forward between two municipalities such as Barrie and Innisfil or Brant and Brantford, and something further is wanted in that agreement which is not specifically authorized in the act, we can do it.

The other control, of course, is the phrase "to carry out effectively the purposes or intent of this act." If it is not explicit and specific in the act giving the minister authority, but it is within the intent and purpose of the act, and the two municipalities want this in their agreement, in

effect, we can go forward with this agreement, as we have done just today with Barrie and Innisfil, and we will not have to wait possibly three or four months to get a new bill through the Legislature.

I repeat, there are similar clauses in the regional acts and the Ontario Municipal Board Act, and I defy the members of the opposition to indicate where those have been abused by this government. This is simply to allow this government, as in the case of Brant-Brantford, with which the member for Brant-Oxford-Norfolk is certainly familiar, and Barrie-Innisfil, to carry forward in a proper manner to implement these agreements.

As we have seen in the Barrie-Innisfil case, when the two parties get together and are ready to sign, we have to move quickly before somebody in local politics changes his mind. It is necessary to have this authority to implement the spirit and the intent of the act, and certainly not to go beyond that, but to do maybe some of the minor things that are implicit in the act but not explicit.

For these reasons, I urge the House to support section 21 as written.

The Deputy Chairman: All those in favour of Ms. Bryden's motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 21 agreed to.

Sections 22 and 23 agreed to.

On section 24:

Mr. Rotenberg: Mr. Chairman, I have two amendments to section 24 for clarification. The first is that section 24 really applies to any application now before the board.

The Deputy Chairman: Mr. Rotenberg moves that section 24 of the bill be amended by adding at the end thereof: "But unless the board has made an order finally determining this matter within two years of the day this act comes into force, the application shall be deemed to have been withdrawn."

Mr. Rotenberg: Mr. Chairman, the purpose of this amendment is simply that there are now some applications pending before the board and what it says, in effect, is that there is a two-year hiatus during which the board may deal with those applications. At the end of the two years, if the board has not dealt with them, they are deemed to have been withdrawn. All outstand-

ing applications or new ones will come under this act and will not then come under the old process.

Mr. Nixon: Mr. Chairman, is it possible, while we are doing that, more or less to tidy up what has happened in the past, that we are giving the board the right not to deal with an application but just to ignore it, to sit on it, and it will be deemed to be withdrawn two years later? I do not think that is a very fair approach to dealing with applications which may be brought before the board in the future.

Mr. Rotenberg: Mr. Chairman, under the board's procedures, the board has an obligation to hear anything that is before it—

Mr. Nixon: But if it doesn't, it's deemed to be withdrawn.

Mr. Rotenberg: If for some reason it is not completed in two years, then I guess the municipalities have the choice in that hiatus. If we had another Barrie type of thing which started now, say, and there were a hearing and court procedures and so on, if that were not finalized within two years, it would be over and would have to go to the new procedure. In other words, they have two years to clean up all the applications before them.

Ms. Bryden: Mr. Chairman, we are supporting this amendment. I think it is a necessary transitional measure. It is one of the government amendments that we think is a good idea.

Motion agreed to.

Mr. Rotenberg: Mr. Chairman, I have a further amendment.

Ms. Bryden: Mr. Chairman, I do not believe we have received a copy of it.

Mr. Rotenberg: I gave you one the other day.

The Deputy Chairman: Mr. Rotenberg moves that section 24 of the bill be amended by adding thereto the following subsection:

"(2) Notwithstanding subsections 23, 5, 6 and 7 of this act, subsection 17(2) and subsections 18, 19, 20, 21 and 22 of the Municipal Act as they existed on the day before this act comes into force continue to apply to annexations or amalgamations provided for by statute or municipal board order."

Mr. Rotenberg: Mr. Chairman, two things could happen. As we just discussed, there may be matters before the board now on which they will give an order in that two-year hiatus. We are saying those before the board being dealt with by the board will be under the old rules and not under the rules of this act.

For those matters now in process before the board, on a future annexation being dealt with by the board or an order already made for an annexation by the board which has some tag ends to be done after this act comes into force, the provisions of this act will not apply to those annexations. Those sections of the Municipal Act will apply to those annexations. In other words, anything now in process before the board is under the old rules.

Those matters that are done by statute, as we just finished today with the Barrie-Innisfil bill, will supersede this bill. In other words, the Barrie-Innisfil bill is the one that counts, not this boundary disputes act. The boundary disputes act applies to those that are done by the mediation process and by order.

Where something is done by statute, as in Barrie-Innisfil or Brant-Brantford, then the Barrie-Innisfil bill or the Brant-Brantford bill or similar bills will supersede this particular legislation.

Ms. Bryden: Mr. Chairman, I must apologize to the parliamentary assistant. I did receive a copy of the amendment. One of his officials discussed it with me, and that is why it was set aside. I understand this is another necessary transitional measure. We are prepared to support it.

Motion agreed to.

Section 24, as amended, agreed to.

Sections 25 and 26 agreed to.

Bill 147, as amended, reported.

11:50 a.m.

PLANNING STATUTE LAW AMENDMENT ACT

Mr. Rotenberg, on behalf of Hon. Mr. Bennett, moved second reading of Bill 194, An Act to amend certain Acts in respect of Planning and Related Matters.

Mr. Rotenberg: Mr. Speaker, very briefly, this bill is complementary to the proposed new Planning Act, which has already been referred to the standing committee on general government for hearings in February. I point out at the outset that it is my intention, if the motion for second reading carries, to refer this bill also to the general government committee to be dealt with at the same time as the planning bill, because it is complementary to it.

It makes two amendments to the Municipal Act. This bill will also delete in the regional acts, the Municipality of Metropolitan Toronto Act,

the District Municipality of Muskoka Act, and the County of Oxford Act planning provisions that are provided for in the new Planning Act.

The bill will delete from the Municipal Act the sign regulations provisions contained in section 40 of the new Planning Act in a slightly altered form. It will also re-enact in the Municipal Act, in a substantially revised form, sections 46 and 47 of the present Planning Act, which deal with various aspects of the municipal building bylaws.

In the various upper-tier acts, where the division of responsibility between the upper and lower tiers differs from that set out in the new act, these provisions that spell out the differences are being retained. The purpose of these amendments is to prevent unnecessary duplication or overlapping between the upper-tier statutes of the new Planning Act.

As indicated, if certain aspects of the Planning Act are approved by the general government committee during its hearings, these would logically follow. If certain matters in the new Planning Act are changed, then complementary changes will have to be made in Bill 194.

The purpose of having it here is simply to get it to general government committee with the other bill so they can be dealt with together as a package, and I hope the general government committee will report to the spring session on the package; that is, the Planning Act plus this bill.

Mr. Nixon: Mr. Speaker, we are certainly supporting this bill along with its companion legislation, which is far more voluminous and which in many respects is the basis of the reference to the standing committee on general government. We feel that those hearings are going to be extremely important, as well as the review of the bill by the Legislature when it returns from the committee.

We have been waiting for substantial changes in the planning concepts of the province for a good long time. We have already indicated, at least I have, support for the concept of putting much more responsibility with the elected municipalities. This is something I look forward to discussing in committee and approving in this House. We are supporting the principle of this additional bill.

Mr. Philip: Mr. Speaker, I am pleased the government has given some indication that this will go to committee because, as the member for Wilson Heights (Mr. Rotenberg) will be aware,

we have introduced a private member's bill which amounts to an amendment that we are proposing to the Planning Act.

It deals with the very serious problem that bylaw enforcement of building standards is extremely difficult in municipalities other than the city of Toronto. In other municipalities such as Scarborough, or Etobicoke where I am, it can sometimes take up to nine months to force a landlord to repair a building.

There are extensive powers under the City of Toronto Act which allow the bylaw enforcement officer to put certain pressures on the landlord to bring the buildings up to standard. These include such things as withholding rent or taking rent to pay for improvements to the building to bring it up to the required standards.

It is very frustrating in Etobicoke, where we have some bylaw enforcement officers who work beyond the call of duty or beyond the call of their job descriptions anyway. "Overtime" is a word that really has ceased to apply to them, because they do work overtime without any cost to the taxpayer, simply because they are dedicated. Some of them get very frustrated at times with certain offshore or off-province landlords who seem to be interested only in making as much money as possible with as little investment as possible.

It will simply mean now, because it is going to committee, that we will have to move that amendment to the other act. It is acceptable to me to move it in that way. I appreciate that the government has indicated it is willing to send it to committee so that we can propose those and other amendments we are concerned about.

Ms. Bryden: Mr. Speaker, I too welcome the parliamentary assistant's assurance that this bill will be sent to committee along with the Planning Act and that both can then be dealt with on a clause-by-clause basis.

As he mentioned, this is companion legislation to the Planning Act, but it does some rather important things that I would like to mention briefly so that the committee to which it is referred will take a careful look at those issues.

The first thing it does, which he mentioned, is to move the sections of the Municipal Act, mainly section 210, relating to signs in municipalities and the control of signs by municipalities, to the Planning Act. Regardless of where it is, I think it is a part of municipal planning, and there are additional powers in the proposed new Planning Act over signs for municipalities; so I think it should definitely be looked at to see whether those powers are justified.

Secondly, in the interests of uniformity in planning legislation, it removes all the provisions about official plans and zoning from the acts of the individual upper-tier municipalities and puts them under the Planning Act. I think that is also an important step forward, as long as we are assured that any special circumstances that apply to individual upper-tier municipalities are retained in their own acts. The parliamentary assistant has indicated that is the intent of the legislation.

But we will have time when we are in committee to hear from each of the upper-tier municipalities as to whether they think their positions are being preserved, if they have any distinctive provisions such as a distinctive distribution of powers between the upper and lower tiers.

I note that one of the provisions of the Municipality of Metropolitan Toronto Act, which is being moved to the Planning Act but preserved, is the protection of employee benefits under sections 204 and 205 of the Metropolitan Toronto act for employees of the old planning board, which was abolished and replaced by a department. Certainly, this party has always been in favour of protecting employee benefits when changes of this sort over which they have no control occur. I am glad that section is to be preserved in the new act.

Finally, the question my colleague the member for Etobicoke (Mr. Philip) raised is a very important question the committee must look at. That is the question of whether the setting of building standards should be considered as part of the planning process or simply as an area of municipal jurisdiction.

This bill proposes to move the sections relating to building standards that were in the old Planning Act to the Municipal Act, since we will be repealing the old Planning Act. I question whether those sections should not be put into the new Planning Act, because I do think building standards have a very important role to play in general zoning and overall official plans, and the enforcement and maintenance of those standards must also be very carefully provided for or they become a dead letter.

Certainly in Metropolitan Toronto the enforcement powers are uneven. The city of Toronto has much stronger powers than the boroughs. That is an area that must be corrected. Those building standards must become part of the planning process. The question we will have to discuss in committee is whether they should be put into the Municipal Act or whether

they should go into the Planning Act. That is a very important area we must consider. However, we will support second reading of this bill in its present form and discuss these matters in committee.

12 noon

Mr. Rotenberg: Mr. Speaker, I would first like to thank the honourable members opposite for their support of this bill.

I would indicate to the member for Etobicoke (Mr. Philip) that whether the building bylaw standards remain in the Planning Act or go back into the Municipal Act, they are before the committee and we will be discussing the content of his amendment. It would be in order to place it in either act. What he really wants is to get the matter into law in either act, and I do not think it would make all that much difference which. We will discuss how it goes.

I would assure the member for Beaches-Woodbine (Ms. Bryden) that those special matters that are in the regional acts at the present time are to remain in the regional acts. That is one of the purposes of this bill.

Mr. Speaker, with those words I would ask that this bill be given second reading.

Motion agreed to.

Ordered for the standing committee on general government.

CONCURRENCE IN SUPPLY MINISTRY OF AGRICULTURE AND FOOD

Mr. Riddell: Mr. Speaker, this will likely be the last opportunity I will have before the House prorogues to express my views on the question of the financial crisis facing Ontario farmers today. However, it will not be the last time the minister will hear from me or my colleagues if we do not get an announcement before the session ends, as promised by the Treasurer (Mr. F. S. Miller) of this province, that financial assistance will be given to the sector of the farm industry that is encountering serious difficulties.

I cannot seem to impress on the minister or this government that the agricultural industry is vitally important to Ontario. Surely the situation in Poland, whose agricultural industry was once the envy of European countries, is sufficient warning to this government that it simply cannot continue to ignore an industry as important to Ontario as the agriculture industry.

Although only four per cent of the population actually farm, approximately 20 per cent of

Ontario's people depend on the agricultural industry for their livelihood. Some even suggest that 25 per cent of Ontario's people depend on the agricultural industry for their livelihood. In fact, one person out of every five Ontarians has a job connected to the industry in some way. Ontario agriculture is worth about \$4.4 billion annually, and about one third of Canada's agricultural output comes from Ontario.

The value added in this province by Ontario farmers is greater than any other primary industry, including mining, and ahead of any single manufacturing industry. That is how important agriculture is in this province. Agriculture ranks as the top primary goods-producing industry in this province. Moreover, agriculture does not operate in a vacuum, and as such, a lack of prosperity in the industry will have an impact on the prosperity of other sectors of our economy in very different ways. For example, the feed industry, the seed industry, the machinery industry, the processing industry, the fertilizer industry, the transportation industry are all affected when the farming industry starts to deteriorate.

Furthermore, the difficulties the agricultural industry is now experiencing are all too evident in our rural communities. The minister represents a number of small towns as I do. I am sure when he goes into these small towns now he is seeing empty stores and businesses that have disappeared, and a lot of that has been caused by a declining farm industry in this province.

Understandably, the most pressing problem for the Ontario farmer today is lack of financial stability due to a large extent to unprecedented high interest rates and the rapidly rising costs of farm equipment, feed, land costs, fuel, fertilizer and other input costs. The recent report entitled *The Future of the Family Farm in Ontario*, which I am sure the minister has read, found that the major area of concern to farmers was high cost of production. In fact, 90 per cent of farmers surveyed expressed this concern.

That report concluded that low financial returns from farming were the major threat to the future of the family farm. Farmers are becoming more productive but in spite of their increased productivity, the agricultural industry is declining and the income position of many farms, even those with larger and more commercial operations, is not improving but deteriorating.

One aspect of the farm problem of particular concern is that the effective, efficient farmers, those who have been most willing to take the

necessary investment risk to increase production, are the very ones most likely to be in jeopardy. They are the ones in jeopardy as the burden of their loan payments become overwhelming due to interest rates that hover above the 20 per cent mark.

The farmer who has sought to improve his farm practice by following the most modern methods of cultivation and farm management techniques, as well as the advice of banks and the provincial government, finds himself on the brink of bankruptcy because farm operating costs far outstrip farm-cash receipts. In other words, the best farmers in Ontario, the ones who have sought to improve their operations, are suffering greater hardships than smaller, less efficient producers, who have smaller debts, less training and more flexibility in their production choices.

If present trends continue, therefore, our agricultural industry may well be left in the hands of less efficient farmers. Food prices will inevitably increase as agricultural production decreases, as our most up-to-date efficient farmers leave the business to be replaced by small-scale, labour-intensive agricultural operations. The point I am trying to make is that it is the lot of our efficient farmers to be forced into bankruptcy or to be compelled to sell before they actually do go into bankruptcy.

In the past, farmers have been able to improve their income situations by improving management and labour skills and applying additional capital with the result that production and productivity improved. The solution was to get more out of production. Techniques to increase production were possible as long as interest rates remained at their historical levels of three per cent above inflation, but look how distorted the picture is now. Historically, interest rates amounted to about three per cent above inflation.

However, it is not possible to apply such techniques when interest rates are 20 per cent or more. The present rates put the real interest rate at more than six per cent above what it should be by historical standards. Real growth in Ontario's agricultural industry has increased more rapidly than in other Canadian provinces. However, while more money passes through the farmer's hands, less stays with him in the form of net income. The prime concern of Ontario farmers today is the effect of high interest rates on farm operating costs. That is the number one concern, as the minister well knows.

My colleagues and I in the Liberal Party have

actively pursued this question of interest rates with the Minister of Agriculture and Food (Mr. Henderson), the Premier (Mr. Davis) and the Treasurer (Mr. F. S. Miller) in this Legislature. On numerous occasions the minister of Agriculture and Food responds that the federal government is entirely responsible for this question and he is, therefore, leaving all action to that level of government. I have always been, and I remain, totally opposed to this view. The Liberal Party believes the Ontario government has an obligation to ensure the economic viability of our agricultural industry. In fact, it has been the provincial government's emphasis on maximum and efficient production that has resulted in more food at lower prices. The minister should face the fact that this government has always had a cheap food policy.

12:10 p.m.

This brings to mind a comment made by a former Deputy Minister of Agriculture and Food, "For too long the farmers have been sacrificed at the altar of their own efficiency." That same person, as the minister well knows, served as chairman on the Ontario Federation of Agriculture task force. Suffice it to say Everett Biggs and the committee recommended immediate responsibility on the part of this government.

Farmers have simply been following the advice of the government and their bank managers and these very farmers are now in trouble. As far back as 1969, the special committee on farm incomes produced a report called *The Challenge of Abundance*—I am sure the minister remembers the committee, also spearheaded by Everett Biggs. The report was called for by the then Minister of Agriculture and Food, the Honourable Bill Stewart. It recommended that farmers expand and become more efficient.

As recently as last year's throne speech the government stated that it was committed, "to increasing Ontario's agricultural productivity" and would take "appropriate measures... to modify or expand operations." The speech continued, "As a firm foundation for the 1980s, Ontario will commence a series of initiatives to strengthen our position as the foremost agricultural producing province in Canada." How in the world does the minister ever intend to accomplish that if he is going to continue to allow our efficient farmers to go into bankruptcy? There is a contradiction there.

The provincial government has stressed productivity as the key to economic growth. As a

result, farmers have found themselves paying farm input prices, which have risen substantially faster than the rate at which prices have risen for the goods they sell. Moreover, our farmers are having a harder time coping with unprecedented high interest rates than the farmers in other provinces in Canada, primarily for two basic reasons; first, the nature of our agricultural industry, and second, subsidized interest rates in other provinces.

Our analysis of the agricultural industry in this province shows only too clearly we are more vulnerable to increased operating expenses than are farmers in other provinces in Canada, and, therefore, our farmers are in a more precarious position. A comparison of our financial situation with Quebec, Saskatchewan and Alberta shows that in 1980 we were number one in terms of gross farm cash receipts—\$4.39 billion compared with \$2.32 billion for Quebec, \$3.21 billion for Saskatchewan and \$3.12 billion for Alberta. Unfortunately we were also number one in farm operating costs—\$3.28 billion compared with \$1.52 billion for Quebec, \$1.74 billion for Saskatchewan and \$1.98 billion for Alberta. As a result, we were number four in realized net income—\$536 million compared to \$962 million for Saskatchewan, \$661 million for Alberta and \$599 million for Quebec.

In 1980 for the first time ever Quebec surpassed Ontario in realized net income for farmers, one of the reasons being that the Premier of that province has made the commitment to make Quebec self-sufficient in food production. Believe me, he is accomplishing that objective. There are more hogs on Quebec farms now than there are on Ontario farms.

One has to know what has happened to the dairy industry if one is going to compare the two provinces. The farmers who attend the feed or cattle sales tell me: "Just watch which direction those trucks strike out in. They are going right into Quebec and dropping off those cattle." In other words, we are fast losing the status here in Ontario of being the breadbasket of Canada. That is almost as bad as having to stand up in this House and say that Ontario has now become a have-not province. In other words, Ontario in many respects is really going to hell. We are seeing no activity on that side of the House to prevent some of this.

While Quebec's realized net income increased by 12.7 per cent in 1980 over 1979, Ontario incomes decreased by 29.5 per cent. If we compare net incomes per farmer as a per cent of farm cash receipts, we find that to produce \$1 of

product in Ontario, 88 cents of input is required. The farmer's return is 12 per cent. Listen to this. For Quebec it is 25.7 per cent, for Saskatchewan 29.9 per cent and for Alberta 21.1 per cent.

The conclusion to be drawn from this analysis is that Ontario agriculture is more vulnerable to fluctuations in operating expenses. Moreover, operating expenses in Ontario increased \$452 million in 1980, in Quebec \$183 million, in Saskatchewan \$196 million and in Alberta \$267 million. The operating expenses of our farmers are often higher than those of farmers in other provinces because we have a larger share of purchased inputs and some items such as land prices are costlier.

The farmers at present facing the greatest difficulties are also the most specialized—that is, the cow-calf operator, the feeder-cattle operator, the weaner-pig operator, those with a high volume and a low margin. Granted, a long-term solution to this problem may require a change in management practices. Perhaps what we should be looking at is getting more from each dollar of investment and increasing productivity rather than production.

Ontario farmers are also at a disadvantage when we examine the financial assistance provided to the agricultural industry by other provincial governments and other countries. The Ontario government's 1980-81 expenditure on agriculture is forecast at \$184 million, which is one per cent of the total budgetary expenditure of \$16.8 billion. By contrast, Quebec's agricultural budget is \$317 million or 1.8 per cent of its total budgetary expenditure. There is a far greater commitment to the agricultural industry in that province.

Ontario is the only province in Canada other than Prince Edward Island without some interest subsidy program. Prince Edward Island does, however, provide grants to its farmers instead of interest subsidy programs.

Newfoundland provides a five per cent subsidy to new farmers for the first 15 years. In New Brunswick, new farmers receive interest-free loans for the first year and for the next five years those farmers pay only three per cent interest. All other farm loans receive three per cent interest-rate subsidies.

Nova Scotia's new farmers receive a six per cent subsidy on the first \$50,000 loan. All farmers receive a 2.5 per cent subsidy on farm loans and the province pays the total interest on Farm Credit Corporation loans to a farmer under 35 years of age. In Quebec, new farmers

pay 2.5 per cent interest on their first \$15,000 loan and then pay 8.5 per cent on the next \$135,000 for thirty-nine and one half years.

In 1980-81, Quebec spent at least \$67.5 million on loan and grant assistance programs. Of this, \$48 million went for interest subsidy on long-term loans. A further \$9 million was spent on subsidizing medium-term and Farm Credit Corporation loans. About \$10.5 million was given in grants, mainly to new producers. That is Quebec.

Manitoba's new farmers receive a four per cent subsidy for the first five years. New farmers in Saskatchewan receive six to 10 per cent subsidies depending on the net worth and assets of each farmer. New farmers in Alberta pay six per cent interest rates and anything above that is subsidized. British Columbia farmers receive a subsidy of one per cent below the prime interest rate for a maximum reimbursement of \$10,000 per applicant per year.

12:20 p.m.

Ontario, on the other hand, provides no interest subsidy program and the only credit program for farmers is the antiquated Ontario young farmers' credit program to assist in borrowing bank funds at prime plus one. Can one imagine that? Since most farmers can get that rate at a bank, only eight individuals applied for this assistance in 1980. That is how much good the farmers feel that credit program is. Only eight of them made application for that one and only credit program in Ontario.

In the United States, a farmer has a variety of sources from which to obtain credit at reduced rates. A system of intermediate banks has been established with a network of farm credit associations which farmers join. Funds are raised by the sale of securities on the money markets. Federal land bank associations provide loans to individual farmers at 10.5 per cent to 13 per cent.

Farmers Home Administration operating loans to family farms are at 14.5 per cent. There are 17 per cent emergency loans for those who can obtain credit elsewhere and eight per cent for those who cannot. Long-term real estate loans are provided at 13.25 per cent. For limited-resource farmers, operating loans are available at 11.5 per cent and real estate loans at seven per cent.

The production credit associations provide loans whose upper limit is restricted only by their credit capacity at 15 to 17 per cent interest rates. Repayment periods are for a maximum of

10 years. Commodity Credit Corporation provides funds on financing crop inventories at 14.5 per cent interest.

These are programs that are available in the United States. It should be noted these programs are national in scope but individual states supplement these programs with those of their own. They realize the importance of the agricultural industry in that country.

The major conclusion of this analysis is that, while greatly increased interest rates affect all farmers in Canada, farmers in other provinces are more able to absorb the increased expenses because of wider profit margins and much superior government assistance programs.

The increased cost, with little government assistance, has led to many farm bankruptcies in Ontario. We have had over half of the farm bankruptcies that have occurred in all of Canada. Over half of them, 55 to 60 per cent of them, have occurred here in Ontario. Unless this government offers the same kind of assistance the other provincial governments are offering their farmers, we are going to see far more bankruptcies occurring in this province. I say to the minister it has to stop and he has to start taking an interest.

An analysis of the recent Ontario farm bankruptcy figures indicates clearly that the farming community here in Ontario is far from being strong. In 1979, Ontario had 64 farm bankruptcies out of a total of 124 for the whole of Canada. In 1980, this figure jumped to 122 out of 220 in Canada. The comparable figure in Quebec was 43. Between the months of January and September 1981, Ontario experienced 112 farm bankruptcies compared with 35 for Quebec.

We have to take into consideration not only the number of farmers who are bankrupt today, but also the number who are moving in that direction. Bankruptcy figures do not tell the whole story since many more farmers are in trouble than the figures would indicate.

However, no figures are available on the number of forced farm sales. There is a real problem with farmers who get out before it is too late. They are forced out. It is my understanding that the task force set up by the Ontario Federation of Agriculture was no more successful in gathering these statistics from the banks than I have been. For reasons beyond my comprehension, the banks have been most unco-operative.

Indications are the bankruptcy picture will get much worse. Record rainfalls lowered har-

vest yields and ruined crops. The only hope that many cash crop farmers have is getting a high price for their products. Corn, however, is less than \$3 a bushel and is predicted to go as low as \$2.50 a bushel. Anyone knowledgeable about farming will know that with normal costs a farmer cannot grow corn and sell it for \$2.50 a bushel. This is notwithstanding the additional cost of servicing his debt, which has been up around the 23 to 24 per cent range.

The bean crop yield is of lower grade this year, and it has decreased tremendously because of the weather. This situation is sure to lead to increased bankruptcies and forced farm sales amongst the cash crop farmers as well. I have already indicated it is the red-meat producers who have been suffering the effects of high costs and low prices for some time now, but I will tell the minister that the other farmers are not out of the woods by any stretch of the imagination.

I submit, therefore, the immediate need is for an emergency interest subsidy program for Ontario farmers' operating expenses. There is no question in my mind that interest rates must be subsidized if we are to save not only our young, but our aggressive, our efficient, our innovative farmers. I further believe that such a program should subsidize those interest rates which would be at approximately the level of the inflation rate.

As I have said, historically the interest rate has been about three per cent above the inflation rate, but because of the terrible distortions we are now seeing in the inflation rate, we are going to have to get away from that three per cent above inflation rate and talk more about the level of the inflation rate, which is about 12 to 13 per cent.

Such a program should be based on a sliding scale, depending on the immediate need of the farmer and as a percentage of their assets to their liabilities. The danger point is reached at about the 20 per cent level—that is, when the debt charge consumes 20 per cent of the total investment. The individual who reaches the 50 per cent mark may not be able to carry his debt for very long and these are things that will have to be considered.

Careful considerations must be given to long-term assistance because it has been readily-available money at relatively low interest rates which has caused some of the problems which farmers are facing today. Assistance must be based on helping to pay operating expenses for the present time rather than for expansion.

We must be careful not to perpetuate the

situation which has arisen due to easy credit availability, and bankers almost forcing farmers to take money. To a farmer going in to ask for a loan, I have heard a banker has said, in one case: "I will not give you the \$50,000 you want, but if you will take \$200,000, I will give it to you." In other words, the bankers were almost placing the money in the hands of these farmers and telling them if they did not borrow more, they would not get any money. This may be the exception rather than the rule, but I have been told that is what has happened in some cases.

We need a selective relief program to ensure that farmers are able to maintain what they now have. For the time being, we must concentrate on lowering operating costs rather than expanding production. What is immediately required is credit assistance to bail farmers out of their existing problems. We should not provide money to those farmers who are simply going to use it to expand their operations. That is not the point at this time. It is to help the farmers with what they now have, not to be pouring more money in so they can go out and continue to expand.

In fact, it is hard to justify lending any of this low-interest money to anyone who is going to take it to buy more land, more machinery, more equipment, more barns, or even more livestock than what he had been working with in the past. We are going through a tough time.

12:30 p.m.

The assistance that is needed is interest assistance or interest subsidies to keep them in business, to keep their farms viable, but we should not be providing subsidized interest rates on loans for farmers who want to get bigger and bigger and bigger, not at this point in time. Nor is there any reason, in my opinion, to offer this credit assistance to farmers who hold quotas to market milk, chicken, eggs and turkeys. Their marketing boards have the clout and the pricing formulas to pass along some of the costs of high interest rates.

I have not had too many farmers under the supply management program complain to me, because they know they have the marketing boards, they know they have the clout and they know they can work their additional costs into their pricing formulas. Other farmers do not have that same opportunity. In summary, it would seem reasonable to limit credit assistance to those farmers who have an established need and who otherwise would have been able to continue a viable operation if rapidly escalating interest rates had not thrown a monkey-wrench into their plans.

I asked one of the farmers, when I attended the Middlesex Federation of Agriculture meet-the-members night, if the ad hoc program was of any benefit to them. By the ad hoc programs, I am talking about giving \$40 per slaughter steer, \$20 per feeder and giving \$40 per cow or calf. He said: "We are pleased to get that assistance, but it does not help in our planning process in any way. We certainly would not turn that kind of assistance down; it did help for the time being, but it was a shot in the arm to deaden the pain." In other words, they want to know what will be available to them so they can plan years down the road. That came from one of the spokesmen for the beef cattlemen who happened to be at that meeting.

In summary then, the reason for refusing all farmers additional low-interest credit is to prevent today's credit assistance from being used as a base for another round of inflationary expansion. We all know the treadmill cannot go on forever. High interest rates hurt all people and all businesses, but farmers are different in a very special way. They are our lifeline to survival, and current interest rates threaten that lifeline.

If anyone is not convinced that farmers are different in a very special way, I advise them to take this very simple lesson: Do not eat for a day. If the oil industry, \$650 million worth, or \$3 billion worth over 10 years, is more important than the agricultural industry in this province, then my next word of advice would be to try drinking a quart of oil for breakfast.

I believe the lesson would be quickly learned. Before I sit down, it is my understanding that the action committee which the minister established to look over the recommendations of the Ontario Federation of Agriculture task force has finalized and completed its meeting. It is my understanding they have recommendations which they were proposing to the minister yesterday. It was my earlier understanding that they were meeting with the Treasurer (Mr. F. S. Miller) on Sunday to make certain recommendations.

Those recommendations, as I understand it, were to put millions of dollars into a fund to be applied to those farmers who have an established need, and there was a committee to be established within the area to ascertain who those farmers were who were in need. That is my understanding of what the proposals were. I am sure those proposals were made to the minister yesterday, and in keeping with the promise made by the Treasurer that we would be hearing an announcement from the minister

before the session ends, I have to remind the minister that it appears the session will end tomorrow, and surely we can expect to hear some kind of a statement from him either today or tomorrow.

Agriculture is too important to ignore the way this government has been ignoring it. I am not prepared to blame the minister for the inactivity on the part of this government, because I believe his cabinet colleagues all have a say in this, but I would hope the minister would exercise far more clout when he goes into those cabinet meetings and tell his cabinet colleagues that the agricultural industry in this province is just too important to ignore totally.

Whatever money is available, they decided to put it into the Suncor investment. I maintain the oil industry is no more important than the agricultural industry in this province, and if the government can come up with \$650 million to buy out a 25 per cent interest in an oil company, then surely it can come up with an equivalent amount of money to save a sinking agricultural industry in this province.

Mr. Nixon: Atta boy, Jack.

[Applause].

Mr. MacDonald: I do not normally get applause from the Liberals when I rise to speak—

Mr. Speaker: Almost a standing ovation.

Mr. MacDonald: Thank you very much.

Mr. Roy: You will need some help from your colleagues though. There are none there.

Mr. MacDonald: Cheer up. The honourable member is around here so seldom, I do not know why he is raising his voice.

Mr. Speaker, just let me make one small point to begin with. I can understand how the back-benchers of the Tory party are getting frustrated and interrupting and saying "cheap political shot." This government has not moved, and they are taking the heat. That is why they are beginning to scream—

Mr. Speaker: Shall we address the estimates, please.

Mr. MacDonald: That is very much part of the estimates. It is very fortunate that we have a final opportunity, before we go home for Christmas, to debate the agricultural situation in this province, because the agricultural industry is just completing a year which is the worst year since the great Depression in the dirty thirties. It is a situation in which the chronic

problem is not new. The chronic problem is that agriculture traditionally has not had adequate returns in terms of a net income.

They are caught in a cost-price squeeze. That cost-price squeeze has resulted in their costs rising more than the prices they get in terms of growth income, and therefore they have a depreciated amount of net income for themselves, and farmer after farmer has to begin to live on his equity because he does not have any net income of his own. That cost-price squeeze was tightened with the rise in energy prices in the last two to three years, but we have nothing short of strangulation as far as farmers are concerned when added to that is the interest rate burden that the government has done nothing about.

Let me just speak to a second important point, as far as consideration of these estimates or this situation is concerned. The member who has just taken his seat is pleading with the Minister of Agriculture and Food to go into the cabinet and raise his voice. There is no point in the minister going into the cabinet and raising his voice. He has totally lost his credibility, not only in terms of the agricultural community, but among his own cabinet colleagues.

This minister is now irrelevant. To the extent that there is any response or any initiative taking place within the cabinet, it is coming from the deputy minister, and to the extent that there is any response from the government at all, it is coming from either the Premier (Mr. Davis) or, more particularly, from the provincial Treasurer (Mr. F. S. Miller). The Minister of Agriculture and Food is only the Charlie McCarthy for the Bergens elsewhere. He is the dummy in the lot.

12:40 p.m.

Mr. Watson: Shame.

Mr. MacDonald: It is a shame. The honourable member knows it is the case. The member for Chatham-Kent should go back and talk to his friends in his own riding and they will tell him if he does not already know.

As a result of this neglect, there is developing in the agricultural community, normally the most stable and responsible element of any society, an explosive sense of frustration. I was interested in a story that was carried by the Toronto Star on December 5 that was headed, "Henderson Forcing Farmers to Rebel, Farm Group Says."

And who is the spokesman? It happens to be the newly elected second vice-president of the Ontario Federation of Agriculture.

"Provincial Agriculture Minister Lorne Henderson is forcing farmers to lash out through his lack of action, a farm association official says.

"The longer the government delays programs to help farmers cope with high interest rates, the more rebellious farm groups will be established, said Ron Jones, a vice-president of the 25,000 member Ontario Federation of Agriculture."

If the minister has threats from vigilantes, if he has threats of civil disobedience, if farmers have no alternative but to join forces with others in society like the labour groups in the area and storm the bank in Port Elgin, as they did last week, the responsibility for that kind of action rests with this government and its failure to face up to the situation over the past year or so.

It is interesting to review the scenario in the year we are concluding, the scenario for which these estimates were presumably supposed to apply. We all knew there was a crisis developing on the agricultural front. It was obvious to anybody who had eyes to see and ears to hear. Last spring, the Ontario Federation of Agriculture presented specific proposals to the government for short-term and long-term action needed to cope with the crisis on the farm front.

What happened? The answer was, "Nothing." Then a thousand farmers left their land, came into Toronto and held a protest meeting last June in the Constellation Hotel, a meeting to which the Minister of Agriculture and Food came. Suddenly, he was flanked by the Treasurer, who had been invited, and the Premier, who invited himself.

The Premier proceeded to insult the intelligence of the assembled 1,000 people from the agricultural community by saying: "Give us proposals. Give us some specific ideas. Prioritize them as to which ones are the most important." He had had the proposals for a couple of months. Neither he nor the Minister of Agriculture and Food or the Treasurer had even responded to them.

Suddenly, with that protest reaching those proportions, the provincial Treasurer said: "Something will be done. I give you my word. Before the end of the month, something will be done." There was talk in the paper about a \$100 million program, a six-point program. What came of it? The mountain laboured and it brought forth a mouse, admittedly an acceptable mouse, a palliative of \$37 million to help one portion of the beef industry, the feeders and stockers who had suffered such losses in the year 1980.

When nothing more emerged during the

summer, the Ontario Federation of Agriculture's task force went out and did the job the government should have been doing, examining the situation and coming up with specific proposals. That task force report was presented to the OFA convention on November 25 or thereabouts and the farmers considered whether they should march on Queen's Park.

Given the kind of people they are, they decided to give the government a final chance, particularly when the provincial Treasurer came down. The Minister of Agriculture and Food did not. He was tied up for the first couple of days and then he had an unfortunate development in the family which was legitimately concluded on the third day.

But he was not there for the first two days. They never saw him in all his great bulk. He never appeared on the scene. The Treasurer came down. What did he say? "Before the end of the session, we will have something for you." When he was asked when the end of the session would come, in that coy Tory way he said, "Soon." The end of the session is coming. I hear it might possibly be tomorrow. So we look forward to it.

The long-term solution to the farm problem is something that has to emerge in the development of a food and agricultural policy, which this government has not had, the Liberals in Ottawa have not had, and the new deputy minister of agriculture says he is working on. He pleads with the farmers to cool it a bit, because he is working on it and in the new year we will have it. That is fine. But as one of the farmers from the Canadian Farmers Survival Association group who came in this morning said, "You can't live on hope." Farmers have lived on hope for too long. What they need to live on at the moment is an immediate solution to the problem, which is, if I may mix my metaphors, the straw that is breaking the camel's back, this crushing burden of interest rates.

It is with great pleasure that I suggest to the government that it do what the New Democratic Party has proposed. I made a representation to the Ontario Federation—

Mr. Watson: Here comes the credit.

Mr. MacDonald: Just be silent because you will be silenced by the facts, though they never really silence you.

I made a three-point proposal to the Ontario Federation of Agriculture and all three points are included in the OFA report to which presumably the government will now respond. Let me draw them to your attention, Mr.

Speaker. The first proposal in terms of the emergency crisis situation at the moment—forget the long-term solutions, which we will have to deal with in the new year—was that there should be an advanced reporting system for farmers facing an impending financial crisis, which would bring all parties together in order to seek means for avoiding the collapse of yet another family farm.

What was the response of the task force report that is now before the government, and of which the OFA said, “That is what we want you to act on”? The response was this. I quote from page 50 of that report: “The province could well consider the establishment of an advance reporting system which would require advance notification before any foreclosure or similar action was taken by the lending institution.” Those are almost the words of the NDP brief presented to the task force.

The reason for and importance of that is, if one does not have some mechanism established to be able to cope with the plight the farmer faces when he suddenly gets word from the bank that it is going to foreclose or will have a forced sale or something of that nature, that is going to create vigilantes out there. Because a farmer who has been on the land and has built up a minor equity in his land and in his operation over a period of 10 or 15 years, a red-blooded Canadian, is not going to stand idly by.

I think it is criminally irresponsible for a government to ignore this kind of situation and force farmers to make the kind of comments they are making, which they repeated this morning, that they have not got their guns yet but if somebody comes to take their farms away from them they will take the guns out. The Minister of Agriculture and Food is responsible for that, lounging in his seat and having done nothing.

Let me move now to the second point we made to the Ontario Federation of Agriculture task force.

Mr. Speaker: I would like to appeal to all the visitors in the galleries. They must be quiet.

Mr. MacDonald: The second proposal we made to the task force is that there should be a moratorium for one year on any mortgage a farmer has so that he can renew the mortgage at the same interest rate for a period of one year and hope in that period the situation will become manageable. Interestingly enough, the task force once again has endorsed that.

Some people say, “Who is going to carry the burden?” More than half of the mortgages out

there are in the hands of the banks. If I can borrow from the words of Mr. MacEachen—I do not normally borrow from Mr. MacEachen; his words are not worth borrowing from—he said, “Maybe it is time the banks should bleed a little.” If they have profits well past the billion dollar mark and they have made them from the farmers and others from whom they have been extracting these high interest rates for such a length of time, then perhaps they can carry some of the burden in terms of a one-year moratorium.

12:50 p.m.

It is not a new idea. It is an idea which has been implemented for home owners by the NDP government in Saskatchewan in an act last week. It is an idea that was implemented by all governments, including Tory governments, back in the 1930s depression. It is an idea which is now not only being put forward by us, but it has been adopted by the Ontario Federation of Agriculture task force at its convention. They said to the government: “This is the bottom line. This is what we want you to respond to and anything less is not good enough.” That is the second point.

The third point is that traditionally, as far as farmers are concerned, the banks have not been an adequate source of credit. Back in the 1920s, the banks would not lend to farmers at all. When we had a farmer-labour government in this province, the farmer-Premier established the Province of Ontario Savings Office to collect the savings of the people and make them available to the agricultural community because the banks would not.

I acknowledge the banks have come to lending to farmers. Farm operations involve an intensive capital requirement. Therefore, they became a possible customer of the banks. As the member for Huron-Middlesex has said, “The banks will even say to farmers, ‘Borrow more; here is more for you.’” They have gone into it because it is a very profitable business. Traditionally, and in the long run, they have not met farm needs, they have not met the needs of small businessmen, they have not met the needs of home owners.

It is time that we in Ontario—as they have done in Alberta, that good, solid Tory province, through the Alberta Treasury Branches—established a new bank which will collect the savings of the people of this province and make them available to those particular groups in society that the banks have not served adequately down through the years.

That is a long-term solution. We are not going to get it now. The Tories, as soon as they got back into power after the farmer-labour government of 1919-23, took away that power to make loans from the provincial savings banks.

What is the member prattling about anyway?

Mr. Eaton: I said that was the United Farmers of Ontario, that wasn't the labour government.

Mr. MacDonald: It was a farmer-labour government.

Mr. Philip: Why are you so functionally illiterate about Ontario history?

Mr. Speaker: Carry on please.

Mr. MacDonald: Exactly.

However, Mr. Speaker, I will acknowledge that is a long-term solution. There is an immediate one which has been spoken to by the member for Huron-Middlesex. I join forces with him, the Ontario Federation of Agriculture and the Canadian Farmers' Survival Association that came in this morning. The farm community cannot, making a return of two to three per cent on investment, any longer be expected to borrow money at 20 per cent.

The OFA has said the maximum should be 12 per cent and anything beyond that should be picked up by the government by way of a subsidy. The survival group said this morning it should be down to nine or 10 per cent, in that range.

The callousness of this government is what really shocks me. When they were looking for votes before the last election they were willing to appropriate a piddling little amount of \$25 million to subsidize interest rates to farmers. Because the program was so poorly administered or so poorly advertised—or for whatever reason, I do not pretend to know the answer to it—only one third of that money was taken up by the agricultural community, in spite of an obvious desperate need.

What did the government do? As soon as they got the votes, as soon as we had the reality of March 19, they ended the program, and the \$16 million or \$17 million that had not gone out in terms of subsidies was returned to Scrooge over there, the provincial Treasurer (Mr. F. S. Miller), who collects all the money.

The Minister of Agriculture and Food apparently had no influence to at least say in the cabinet: "Look, we have appropriated this money. Why can we not at least leave it and make it available to the farmers of this province?" As has been pointed out by the member for Huron-Middlesex already, in many other

provinces, particularly Quebec, there are literally hundreds of millions of dollars which have gone to subsidize farm interest rates. Every province with one exception, namely Prince Edward Island, is providing subsidies for interest rates, and in Prince Edward Island they have grants instead of subsidies. That is every one except this government.

That is the third key point for which we think we have a long-term solution, but the short-term solution is that the government has to move and do something about the provision of these interest rates at a fair level; not to expand the farms at this moment—I agree with that argument—but for pure, simple survival.

One does not need to browbeat this issue for any great length of time, because either we are going to get a response from the government or we are not. Let me say in conclusion that I was at the Ontario Federation of Agriculture convention along with hundreds of Ontario farmers. It was reported in the media that the Treasurer said that before this session ends there is going to be an answer from the government.

If this session ends tomorrow and there is no answer from the government, if the member for Huron-Middlesex is correct that the whole proposal cannot get to the provincial Treasurer until Sunday of this week, the government is breaking yet another promise and is being criminally irresponsible, because in the words of Ron Jones, the unrest, the insurgence, the vigilantes and all of the frustration out on the agricultural front is the product of the government's inaction. The government should live up to its promise and let us have something, even though the minister only reads what somebody else has decided.

Mr. Riddell: On a point of privilege, Mr. Speaker: I did not want to mislead the House by saying the Treasurer was meeting with them this Sunday. I said it was my understanding that the action committee was meeting with the Treasurer last Sunday before he left for Ottawa. They were supposed to have met with him last Sunday. Then the minister in this House indicated he was going to be meeting with them yesterday, so I have to think that the recommendations have been completed and it is now up to the minister to make the statement in the House.

Mr. Ruston: Mr. Speaker, I wonder if the

minister wants to make a statement now? We are willing to forgo any other speakers if it is agreed to give him the opportunity.

Mr. Speaker: Do any other honourable members wish to participate in this debate?

Mr. Swart: Let's give him the opportunity.

Mr. Speaker: Order, order. Do any other honourable members wish to participate in this debate?

Mr. McKessock: I would defer to the minister.

Mr. Philip: Let's hear from the minister.

Mr. Martel: On a point of order, Mr. Speaker: I think you are putting us in a position where the House—at least on this side—wants to hear the minister respond and is prepared to forgo any speakers. If you call it in this manner and the minister chooses not to speak, then the issue is dead. I would like to know if the minister intends to respond.

Mr. Speaker: I just remind all honourable members that when the minister replies, that will terminate the debate.

Mr. J. A. Reed: That's fine. We want to hear what he has to say.

Hon. Mr. Henderson: Mr. Speaker, in response to the remarks by the member for Huron-Middlesex, I would suggest he has taken most of his remarks from remarks I have made respecting problems in the farm communities.

Mr. MacDonald: What is the solution? We know the problem.

Hon. Mr. Henderson: I listened politely to you. I did not open my mouth to any of you, so now please give me a chance.

Interjections.

Hon. Mr. Henderson: I listened very attentively.

Interjections.

Mr. Speaker: Order. The Minister of Agriculture and Food has the floor. I would ask all other members to please contain themselves.

Hon. Mr. Henderson: Mr. Speaker, the honourable member mentioned high interest rates are a problem. He mentioned the high cost of production is a problem. These are statements I have made many times.

The member for York South tried to be political. He really did not represent the farm people.

Mr. Martel: It's not a political problem.

Mr. MacDonald: Your inaction is the most political thing.

Hon. Mr. Henderson: We are here to help the farming community, not to be political in any way, shape or form. Mr. Speaker, there is a problem out there with the high cost of interest.

Mr. MacDonald: Right.

[Applause].

Hon. Mr. Henderson: If they would just listen, Mr. Speaker—

Mr. Speaker: Carry on, please, Mr. Minister.

Hon. Mr. Henderson: There is a problem out there. We have good farm people up here, not the type of people the member is referring to. Good solid farm people whom we as farmers are very proud of. I as a farmer am very proud.

1 p.m.

I would enlarge on the remark made by the member for Huron-Middlesex that the price the farmer is receiving is far too small. We looked at the price of beef, 75 cents a pound, and the price of pork is in the same area. They need 50 per cent more. The member speaks of the narrow margin. There is no margin, they are in a loss position, every one of them. Every farmer, if they would look at the situation, is in a loss position—

Mr. Cooke: What is your solution?

Hon. Mr. Henderson: There is no easy solution. The member talks about interest subsidies.

Mr. MacDonald: Is there any solution?

Mr. Swart: Have you got any solution?

Hon. Mr. Henderson: Just let me speak, please. I listened very attentively, I did not interfere with either of the members, but they do not want to hear the truth. The Liberals do, apparently.

Mr. Swart: We want the truth, not you.

Hon. Mr. Henderson: Well, any of us can—

Mr. Speaker: I would direct the minister's attention to the clock.

Hon. Mr. Henderson: The honourable member who just spoke stands up daily, criticizing the price of food in this province, criticizing what is being charged. That honourable member right over there, every member in this House has heard him.

Interjections.

Hon. Mr. Henderson: No apology—

Mr. Speaker: I would direct the minister's attention to the clock.

Mr. Swart: On a point of privilege, Mr. Speaker: The minister has indicated to the

House that somehow or other I have criticized the price farmers are getting. To set the record straight, I have never indicated anything other than that the farmers were not getting sufficient. I have risen to criticize the exploitation of the farmers—

Interjections.

Mr. Speaker: Order. The honourable member is out of order. That is not a point of privilege. I would direct the members' attention to the clock.

Hon. Mr. Henderson: Could we not continue for a few minutes? I would really like to respond. I am sure the Liberals—

Mr. Speaker: I have to have the consent of the House. Agreed.

Hon. Mr. Henderson: Thank you, Mr. Speaker, and thanks to the opposition for that consideration.

Interjections.

Mr. Speaker: Order. Mr. Minister, will you please continue.

Hon. Mr. Henderson: Thank you, Mr. Speaker. I will try to make my remarks as short as possible. I want to recognize, and I want all members of the House to realize, that interest subsidies alone will not correct the situation out there. The low price the farmers are getting, the cheap food the consumers of this province are enjoying, are problems we are faced with as farmers.

There has to be a 50 per cent increase in all the products of the farmers, these people up in the gallery surrounding us—I have not looked up there, but I presume they are up there too—are receiving. The people of this province have enjoyed a cheap supply of food for too many years. Maybe we, as farmers, are to blame. Maybe we are. Maybe we should have been more organized. Maybe we should have had supply quotas in pork and in beef as my federal colleague—

Mr. Swart: Federal income stabilization legislation.

Mr. Watson: Why don't you listen?

Hon. Mr. Henderson: Just a minute, now, Mr. Speaker. Maybe we should have had all these things, but let us be honest, we have not had them. The member for Huron-Middlesex—

Mr. Philip: You can see what the farmers think of you. They are leaving.

Mr. Watson: Well, why don't you leave?

Hon. Mr. Henderson: The member for Huron-Middlesex has suggested that the milk producers are not in trouble. I recognize that. I have said that. But I have had milk producers come to tell me: "You are wrong, Lorne. I do have problems. My overhead is too much. I am having trouble surviving." So it has been the total farm community. The people up here today are not the big cash crop producers there are in the southwestern part of the province.

The cash crop farmers enjoyed a good income a year ago. That is what created some of the problems in the Grey-Bruce area where our beef and dairy farmers are.

Mr. MacDonald: Talk and no solution.

Hon. Mr. Henderson: The honourable members do not want the truth, but these people up here want the truth.

Mr. Swart: They want an answer from you too.

Hon. Mr. Henderson: A year ago, the cash crop producer received \$4 a bushel for his corn and that meant a 50 per per cent increase in the cost for the feed that people who were producing beef had to pay. This year, the cash crop farmer's income is down as well. The member from Essex who wanted to speak could have got up and told of the problem in his area. We recognize there is a genuine problem out there.

I want this House to know I have the report from the committee that was presented to me yesterday at noon. I do not have enough information to respond to that report standing here now. I do not deny I have it. It is a major report that addresses the complete Biggs report. I hope I can respond before this House adjourns.

Mr. MacDonald: Don't hope, give us the assurance.

Hon. Mr. Henderson: I have never stood in my place in this House and misrepresented anything. I have always faced the facts. I still say I hope to be able to respond to the report I received yesterday at noon signed by all four members of the committee. I hope to respond to it before this House adjourns.

I think the farmers out there in the province know full well I am much more aware than any member of that party of their problems and the environment in which they work, of the high cost of production and the low return. I just add there are several members of the Liberal Party. I believe in giving credit where credit is due. I hope to be able to respond before this House adjourns.

Mr. Speaker: Shall the estimates of the Ministry of Agriculture and Food be concurred in?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

Hon. Mr. Henderson: Mr. Speaker, I want the members to know I am going down now with the member for Grey-Bruce (Mr. Sargent) to speak to the audience on the front steps, if his offer is still available.

The House recessed at 1:08 p.m.

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Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament

Thursday, December 17, 1981

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, December 17, 1981

The House resumed at 2:02 p.m.

INDIAN BANDS COMPENSATION

Mr. Sweeney: Mr. Speaker, I wish to stand on a point of privilege. Yesterday, in response to a question regarding the province's compensation policy for the Whitedog Indian band, the Provincial Secretary for Resources Development (Mr. Ramsay) gave this House information that I know to be inaccurate.

With respect to the minister's answer on the matter of whether the province was cutting back on its commitment to compensate for all additional claims above \$15 million to the Indian bands, which was: "We are not cutting back on anything. As I said, that is to my knowledge," I am concerned that, as the minister responsible for the negotiations, his explanation lacks credibility.

The facts are that on November 20 a cabinet committee approved an agreement stating that "Ontario will assume responsibility for provable health claims in excess of \$15 million." I have a copy of that cabinet statement here in my hand.

On December 9, the cabinet approved a decision stating, "Ontario agrees that the province will assume liability for the treatment of provable health claims of minors and unborn members of the Grassy Narrows band resulting from mercury pollution. Adults should be left with their existing choice of either settling with the companies or retaining their right to sue at a later date." I have a copy of the December 9 cabinet document as well.

I submit that the change in policy, specifically the exclusion of the adult population from the original commitment to health claims compensation made by this government, is so obvious that it could not have escaped the attention of the Provincial Secretary for Resources Development. I am therefore at a loss to understand how he was able to state to this House yesterday that, to his knowledge, the province was not cutting back on anything. I would ask the minister to clarify this statement for me in the light of the evidence I now have in my hand.

The minister stated, and I quote: "With respect to the mediations, I would not like to think that they are definitely over as far as today

is concerned." The implication is that the province is part of an ongoing mediation process.

The fact is that the Whitedog Indian band mediation ended on May 30, 1981, or 10 months after it was originally intended to be completed. The current mediation process is part of a process initiated by Mr. Justice Patrick Hartt, who chose to become involved in this issue because he felt the Indian band's offer was so fair and reasonable. Mr. Justice Hartt set the date of December 15, the third anniversary of the original mediation, as the final date.

It is essential that this House understand that the mediation process between Ottawa, Ontario, Hydro and the Whitedog Indian band was intended to be resolved long ago and that this mediation process has been dragged out because the province has chosen to drag it out.

Finally, the minister also stated yesterday: "There has been a great deal of progress made; 34 items have been resolved and there are nine outstanding items."

The facts, according to information given to me today by the negotiator for the Whitedog Indian band, are that only one of the 34 items was specific enough, in the opinion of Mr. Justice Hartt, to be considered resolved. The other 33 items were so vague or encumbered by conditions that they could not be included in a legal agreement. Therefore, to suggest that 34 items have been resolved is incorrect.

Moreover, the nine outstanding items referred to by the minister constitute the crux of the negotiations and include all the major issues affecting the health, economics and the social wellbeing of the band. Among others, these items include health claims compensation, wild rice licensing and the contribution to a job creation fund to which the other three parties, namely, the federal government, Ontario Hydro and Great Lakes Forest Products Limited, have agreed to contribute. I am, therefore, concerned that to assert that a great deal of progress has been made in these negotiations creates a false impression.

Mr. Speaker, through you, I would ask the minister now to correct the record.

Mr. Speaker: If I may, I just want to say to the member for Kitchener-Wilmot (Mr. Sweeney)

that it is hardly a matter of privilege he has raised. It is a matter of correcting the record and of quite an obvious difference in the facts, of which I have no knowledge. If the minister wishes to reply, he may do so now.

Hon. Mr. Ramsay: Yes, I would like to reply, Mr. Speaker. Ontario has always intended to assist the Islington and Grassy Narrows bands to settle their claims resulting from mercury contamination of the English-Wabigoon river systems. Any liability for damages would appear to lie with those whose actions led to the presence of mercury in the water and not, I would emphasize, with the government of Ontario.

The Indian bands have taken the position that although no provable health problems have resulted from mercury contamination, they wish to leave open the opportunity to make future claims if these are later warranted. They do not wish to accept compensation in return for a release of liability for personal health damage.

However, the bands are seeking compensation through the mediation process for environmental damages from Reed Paper Limited and its successor, Great Lakes Forest Products Limited. I understand that Great Lakes Forest Products Limited, acting for both companies, is asking for a full release for all damages, including environmental and health damages.

2:10 p.m.

In order to facilitate a settlement, the government has advised the Great Lakes company that it is prepared to accept all provable health claims against Great Lakes after the company has paid a total of \$15 million in voluntary and/or court awards to compensate the bands for any damages resulting from mercury pollution.

In presenting Ontario's response on December 10 to the Islington band's request to the province, in the mediation process, the wording to describe Ontario's position may have been inadequate in the area of responsibility for health claims against Great Lakes Forest Products Limited. In rereading the wording, I can see how it could lead to a misinterpretation of Ontario's true position. Therefore, I am asking that the wording of this section of Ontario's offer be revised to better express the position I have described.

I hope the band will accept my offer to clarify Ontario's position on this point, consider the revised wording and attempt to reach satisfactory agreements with all the parties in this important mediation process.

LEGISLATIVE PAGES

Mr. Speaker: Before proceeding, as we come down to the final hours of this session, as we were given to understand this morning, I would like to read into the record the names of the pages in recognition of the great assistance they have provided to all honourable members:

David Adames, Hamilton Mountain; Anita Arnold, Kitchener; Jacinto Borges, Dovercourt; Ginger Boyles, Halton-Burlington; Beth Campbell, Algoma; Cara Celotti, Yorkview; Lorne Gretsinger, Lincoln; Matthew Heeney, Peterborough; Brett James, Lanark; Lori Main, Waterloo North; Patti Petura, Niagara Falls; Jamie Pollock, Wilson Heights; Tracy Ann Shepherd, Windsor-Walkerville; Elizabeth Smith, Oxford; Sean Tait, Kingston and the Islands; Mike Tomaino, Erie; Martha Turner, Burlington South; Peter Van Mol, Kent-Elgin; Lauri Villeneuve, Cochrane North; Ian Wayne, St. George; Roger White, Armourdale; Tandy Yull, Ottawa South.

I ask all honourable members to join with me in thanking them very much.

STATEMENTS BY THE MINISTRY

EXPANSION OF ELLIOT LAKE MINES

Hon. Mr. Norton: Mr. Speaker, in November 1979, the Honourable Harry Parrott, my predecessor in this ministry, tabled the government's response to the final report, part I, of the Environmental Assessment Board, dealing with the community aspects of the proposed expansion of the uranium mining operations in Elliot Lake.

Today, I am tabling the second of this two-part response to the findings and recommendations of the board's part II report, which deals with mining, milling, tailings management and radioactivity.

I commend the Environmental Assessment Board on the comprehensiveness of its work, and I wish to thank the parties and participants in the hearings for their hard work as well. The companies brought forward an impressive group of experts to assist in explaining complex subjects. The representatives of the United Steelworkers of America contributed significantly and the Serpent River Indian band brought a special perspective to the hearings, to name only a few of the parties.

As a result of the hearings and the reports, along with the views of the select committee on Ontario Hydro affairs, the Ontario government now has a clear perspective on the priorities for

further action. The next step, now under way, entails working on the priorities in close consultation with the parties involved.

In addition, new information obtained since the hearings will be used in selecting specific options to implement the accepted recommendations. Also to be taken into account is the changed worldwide economic climate, which could possibly slow the earlier anticipated rate of growth of the mines. However, to fulfil our commitment to protect the environment, the government has already initiated a comprehensive environmental management program which will involve all the parties concerned.

Towards this end, the government recently appointed a co-ordinating committee to assist in clarifying functions and roles, to oversee research projects and to recommend to the government specific actions to implement the accepted recommendations. The environmental management program includes the maintenance and, in some cases, extension of the already extensive monitoring roles of the Ministries of Environment, Labour and Natural Resources.

As honourable members are aware, the government is supportive of the expansion of the mining operations and will ensure that the expansion, operation and eventual closing of the mining operations will comply with the appropriate legislation, regulations, objectives and criteria. We agree with the board that uranium mine tailings represent the greatest potential impact on the natural environment of all the activities related to the expansion of mines at Elliot Lake.

A major current obstacle to achieving some of the priorities for action set out in the report is that the control and regulation of mining operations at Elliot Lake is made complex by the lack of a clear definition of responsibilities between the federal and provincial governments. The constitutional authority of the federal government is such that very little of what is called for in this report can be achieved without the full co-operation of federal government agencies, particularly the Atomic Energy Control Board.

I wish to assure honourable members that my ministry will continue to work with the appropriate authorities to resolve jurisdictional problems. We are also co-operating fully in the formulation of a long-term tailings management strategy, including the establishment of appropriate funds to ensure proper management after the mines are abandoned or mined out.

We are already encouraged by the fact that

the AECEB has agreed in principle to the use of its licensing procedures so that such matters as provincial water quality objectives and other environmental concerns can be incorporated in the licensing conditions.

The government agrees with the board that timely information should be made available to the public.

Further in this regard, the select committee on Ontario Hydro affairs recommended the establishment of a committee composed of representatives of the public in the Elliot Lake area, together with representatives of federal and provincial governments and the mining companies. My ministry has already implemented this recommendation and will continue to provide to the public annual reports on the air and water monitoring programs being conducted in the Elliot Lake area.

In addition, the government is committed to the development of tailings management techniques. Recommendations on the scope and nature of the research will be a responsibility of the new co-ordinating committee, whose chairman is Mr. Erv McIntyre, director of my ministry's northeastern headquarters in Sudbury.

We are proceeding with our environmental management plan, cognizant of the economic situation, so that the project can proceed with an optimum measure of environmental security at the present time.

I believe the report is straightforward, but if there are any questions concerning the details of the issues or the responses, they should be directed to the appropriate ministry concerned.

Mr. Speaker: Order, please. Before proceeding, I would ask all honourable members to please curtail their private conversations in the House. It is exceedingly difficult to hear the ministers' statements.

FREEDOM OF INFORMATION BILL

Hon. Mr. Sterling: Mr. Speaker, I wish to report to the Legislature on activities falling within my jurisdiction as the minister responsible for the implementation of freedom of information and protection of personal privacy.

Mr. J. A. Reed: Just turn in your limousine.

Hon. Mr. Sterling: I do not have a limousine, I am sorry.

Members will recall that on September 29, 1981, I announced the establishment of a task force to formulate a position paper and draft legislation on freedom of information and the

protection of personal privacy. I want to assure members that this paper is near completion and will be introduced early in the new year.

As part of this ongoing process, I am pleased to announce and table with the Clerk of this House today a descriptive index of the personal information record systems currently maintained by the government.

Over the past three months, it has been the challenge of the task force and myself to address both the freedom of information and privacy protection initiatives and to attempt to strike a balance between the various interests involved.

2:20 p.m.

For a number of reasons, the freedom of information scheme has received the lion's share of commentary. In fact, the government's commitment to institute comprehensive privacy protection measures will be an equally important priority.

One of the most important interests that demand protection under freedom of information is the interest of personal privacy—the right of each person to have confidentiality of information concerning himself respected.

Privacy protection and freedom of information are not perfectly compatible initiatives; yet both are essential to a democratic society, a society in which the will of the majority is balanced by respect for individual rights.

The Ontario government is the custodian of a substantial amount of personal information. This information is collected for various programs and is employed for purposes consistent with the delivery of essential government services. Yet the existence of such information within the control of public institutions places a responsibility upon government.

First, with the introduction of freedom of information initiatives, there exists a danger that undue invasions of privacy may occur. Equally as important, the government should not be allowed to violate personal privacy through the unnecessary collection or inappropriate use of personal information. Since personal information is employed as the basis for decisions which may affect the rights of an individual, it is imperative that the government ensure that the information is accurate and complete.

It is the commitment of this government to ensure that fair and reasonable practices are followed in the collection, use, transfer and disclosure of personal information. Indeed, this commitment will be mandated through the

privacy protection measures which will form an integral part of the freedom of information legislation.

One of the most important components of my proposed privacy protection measures is an informed public, a public that is aware of the personal information which the government possesses, the reasons for its collection and the purposes for which it will be used. With this knowledge, I believe that each person will be an effective guardian of his or her own interests.

Consistent with this government's commitment to both privacy protection and "openness," I have tabled a descriptive index of personal information holdings of ministries. Copies of this index will be available in the reading rooms of each ministry, several public libraries throughout the province and in the Ontario government book stores. As well, I have arranged for each member to obtain a copy.

I believe that this index will benefit all citizens. It details each existing personal record system and for each it provides the following:

1. The name of the custodian ministry, agency, division and branch;
2. The name of the personal record system, with a description of the information contained in an individual's record and the use of the information;
3. The number of individuals to which this information applies;
4. The storage medium for this information and the length of time the government maintains this information;
5. The current ministry access procedures that allow individuals to review their information; and
6. The ministry official to whom inquiries can be routed.

This index represents an impressive achievement and a positive step in the government's commitment to privacy protection. I want to take this opportunity to commend the efforts of those responsible: each ministry and agency which voluntarily submitted the information required and the chairman of Management Board of Cabinet for his staff, which undertook the co-ordination of this publication. In particular, I wish to thank Keith Bottom and Frank White.

The most important feature of this index is, of course, the information which it offers to the individual. For the first time, each person can easily identify the type of personal information used by the government, its uses and the contact

points for requests for verification or review. This knowledge, combined with the privacy protection measures of the proposed legislation, will ensure the exercise of fair information practices by this government.

In closing, I wish to draw the attention of the House to two facts. A review of the index will reveal that the vast majority of the personal information is already open to subject access. I feel this argues quite strongly for the fairness of current access practices. I also want to emphasize that the index is not a one-time effort but, under the terms of the proposed legislation, will become part of an annual access publication in both French and English. As such, the personal record-keeping practices of the government will be subject to ongoing and informed public scrutiny.

RENTAL CONSTRUCTION LOAN PROGRAM

Hon. Mr. Bennett: Mr. Speaker, I wish to give the honourable members an update on Ontario's efforts to stimulate moderately priced rental accommodation in our province.

I introduced the Ontario rental construction loan program last January. It is a program of incentive loans to the private development industry, designed not only to stimulate rental construction but also to improve the employment picture in the construction and related industries.

To say that I am pleased with our results would be a complete understatement. As of this morning, we estimate there is more than \$500 million worth of construction activity under way across this province as a direct result of our program. There are 13,562 units being built in more than 50 municipalities from Ottawa to Fort Frances and, with those expected to start in the next week or so, we should see more than 16,500 new units begun before the end of December.

We also estimate that this activity in rental housing will generate some 57,750 person-years of employment in the related industries.

One of the conditions of this program is that developers must offer up to 20 per cent of the units in each complex for rent-geared-to-income housing in municipalities where the local housing authority feels there is a need. Some of these units are also designed especially for physically handicapped tenants. This means the program will potentially produce 3,000 new rent-geared-to-income units.

Our original intent was to have 10,000 rental

units started across the province, but the response from the development industry was so positive that we increased the target to 15,000 units. The maximum per unit interest-free loan was also increased from \$4,200 to \$6,000 under this \$90-million initiative. When we hit the 15,000 figure, fully one third of all housing starts in the province this year will have been assisted under this specific program.

I feel that this program has been an excellent example of our province working hand in hand with the development industry to provide a workable, usable scheme. For those of us who wonder what it might have cost the taxpayers of our province to get the same number of units started under the auspices of Ontario only, without private sector involvement, it would have cost us something in the range of \$660 million, calculated at \$40,000 per unit.

Earlier this year, I indicated that I expected about 5,000 starts in the Toronto area. The latest statistics show that there have been more than 4,700 starts in North York, Scarborough, Toronto, Brampton and Mississauga, with 1,319 of them in Metro Toronto itself.

MUNICIPAL ASSESSMENTS

Mr. Peterson: On a point of privilege, Mr. Speaker: Going back to an exchange in the House a couple of days ago, I was chatting with the Minister of Revenue (Mr. Ashe) with respect to the introduction and sneaking in of market value assessment in the city of Toronto. Legally, that should not be the case. I suggest the minister inadvertently misled this house and probably Toronto city council in his answers to the questions put to him from members across the floor.

In response to one question, he said, at page 4585 of Hansard, "There is a delay in section 86 municipalities, and of course those municipalities are already aware of that . . ." That is a tacit admission that he is sneaking in section 86 into the city of Toronto.

In response to another question, he said later in his answer, at page 4586 of Hansard, "It is then prorated to whatever the assessed value is of that property in the community. In many cases in Toronto, for example, it runs at about seven per cent." I suggest that establishes a very clear relationship between assessed value and market value, which is another form of market value assessment.

2:30 p.m.

In that same exchange he said that either all properties were inspected or the assessor would

leave a phone number or some sort of notification that the house was going to be reassessed. The person then could get in touch with the ministry or the assessor to debate the merits of a particular assessment. A number of cases have arisen both before and after his answer in the House that prove beyond doubt that absolutely no notice was given to the occupants or owners of the various houses before these massive increases in assessment. They were done unilaterally without a chance for discussion.

The minister has an obligation to clear up these two points, on which he inadvertently misled this House. Metro council is discussing the matter at this very moment—this very important policy matter that is emanating, apparently subversively, from the Ministry of Revenue. He should clear it up, not just for the members of this House, but for members of Metro council and all the home owners in this city.

Mr. Speaker: Again I would point out that is hardly a point of privilege but rather a point of clarification. There is obviously a difference of opinion as to the facts, and I do not have any knowledge of them. Would the minister like to respond?

Hon. Mr. Ashe: Yes, Mr. Speaker. I would like to respond briefly.

It is just coincidental that I have in front of me a statement. Because of the length of the statements today, I was postponing correcting the record until tomorrow, based on many of the points the member opposite made that are not clear. I will be very generous and use those words. I will be responding with a statement tomorrow to those allegations today, as well as the ones made the other day that were, I am sure inadvertently, inaccurate.

Mr. T. P. Reid: On a point of order, Mr. Speaker: I have a letter from the member for Scarborough-Ellesmere (Mr. Robinson) in regard to restraint devices for little children and babies in cars. As one who has one little baby at the moment, I feel quite in sympathy with the member. I wonder if I may use the words the Attorney General used in another context and ask the government how long it is going to allow lives to be unnecessarily lost?

ORAL QUESTIONS

INDIAN BANDS COMPENSATION

Mr. Sweeney: A last chance is always welcome, Mr. Speaker. I would like to return to the Provincial Secretary for Resources Develop-

ment (Mr. Ramsay) and say at the outset that his statement does not respond to the concerns we expressed. Perhaps the operable words are, "the wording to describe Ontario's position may have been inadequate." That is the understatement of the week.

The two cabinet documents to which I referred clearly indicate a change from the comments made by the Premier (Mr. Davis) on June 26 of this year and the Attorney General (Mr. McMurtry) on June 29 of this year that all issues would be covered. Given those comments and the fact that the provincial secretary, even with this statement, has continued to deny there will be any change, what will the new wording be that he refers to in his statement? Will it include all health claims including those for adults?

Hon. Mr. Ramsay: Mr. Speaker, I cannot give the member the exact wording at this time. In fact, it is being worked on at this very moment. However I can assure him it will include all health claims.

Mr. Sweeney: Supplementary, Mr. Speaker: This morning on CBC when this issue was being discussed we had the unusual situation of Great Lakes Forest Products having not been made aware of either one of the government's positions. If I remember correctly even the minister's own negotiator, Mr. Bugar, was not aware of all the positions. Will the provincial secretary explain why he failed to communicate either policy—the November 20 or December 9 one—to Great Lakes?

Would the minister not accept the perception that one must be led to believe that in not transmitting this information to Great Lakes he is trying to scupper this whole deal and perhaps even trying to force the Indian band to go to court? Would the minister please indicate how this has happened?

Hon. Mr. Ramsay: Mr. Speaker, the first thing I would like to comment on is the last statement. There is absolutely no intention of trying to have the native people go to court. That is absolutely the last thing we would like to see happen. We are trying to reach a settlement that is fair and equitable to everybody concerned. Quite personally, I resent the inference that there is any other motive.

As far as Great Lakes is concerned, I will have to admit there was a breakdown in communications. The lawyers from both parties—the provincial lawyers and the lawyers from Great Lakes—were supposed to meet prior to the

mediation process on Wednesday. They did not get together. I will admit to a breakdown in that respect. But there were instructions for that to be done prior to Wednesday.

To take that a step further, this morning the Treasurer and myself met with Mr. Carter, the chairman of the board and president of Great Lakes, in order to make sure that the situation was completely understood and clarified.

Mr. Stokes: Mr. Speaker, how does the provincial secretary justify sending provincial negotiators to deal with those bands that have been disadvantaged as a result of mercury pollution in the English-Wabigoon River system? How can he justify going before mediation proceedings without knowing what commitments had been made by several of the provincial secretary's cabinet colleagues? These were public knowledge, really—known to all of us in the House who had any dealings with it. How does the provincial secretary justify sending his high-priced lawyers and mediators to those proceedings without knowing of previous commitments made by several of his cabinet colleagues?

Hon. Mr. Ramsay: Mr. Speaker, that is a very difficult question to answer candidly. I felt our mediator was familiar with the circumstances. As I say, the wording was inadequate, confusing and could be interpreted in different ways. I suppose if someone has to accept the responsibility for that I will accept it on the basis of not having it clarified before he left and went up to the mediation talks on Wednesday.

Mr. Sweeney: Surely the provincial secretary will have to agree that it is not just the wording, there has been a complete breakdown in negotiations all the way along the line.

Let us go on to chapter three of this. The minister will be aware that Ontario Hydro wants to settle its claims with the Indian band and as a matter of fact made an offer to them, which the Indian band is willing to accept.

I would now ask: Why is Ontario insisting that the Indian band must deed back to the province 460 acres of land which has been flooded—some of it under as much as 40 feet of water—before it will allow the band and Hydro to settle? Surely the minister realizes this is one more stumbling block. The federal government has settled, Great Lakes wants to settle, Hydro wants to settle. Everything is at this government's doorstep. Why do they insist on getting that 460 acres of land back?

2:40 p.m.

Hon. Mr. Ramsay: It is my understanding that in every negotiation there is a position each party takes. The province has taken that position for numerous reasons. The band has taken another position for numerous reasons. I really felt if we could get the first matter of the health issue settled, we could settle some of these other problems down the road.

I met with the chief, with Justice Hartt and with Mr. Bruce Crofts in my office and we talked about the possibility of getting the situation cleared up once and for all with the Great Lakes paper company. Then many of these other problems would fall into place. That is exactly what we have been attempting to do.

INTEREST RATES

Mr. Sweeney: Mr. Speaker, I have a question of the Minister of Agriculture and Food (Mr. Henderson). Three weeks ago the Treasurer (Mr. F. S. Miller) promised the Ontario Federation of Agriculture's annual meeting that a farm assistance program would be introduced before this session ended. The action committee he appointed to look into recommendations of the emergency task force reported to him yesterday on its recommendations. Ontario provides the least amount of financial assistance in Canada to farmers for short- and long-term loans.

Given these facts, will the minister indicate what the action committee's recommendations were? Will he now introduce a program that will provide the necessary financial assistance, which is needed now before more farm bankruptcies occur?

Hon. Mr. Henderson: Mr. Speaker, it is getting to be a very sad day in this House when there is no co-ordination in that party at all. These questions were all addressed at one o'clock today, right here in this Legislature. Had the member been here with his party, he would have known. I made it quite clear.

Mr. Sweeney: You said you hoped.

Hon. Mr. Henderson: No, I did not make it clear but I will.

The Treasurer spoke to the Ontario Federation of Agriculture. The Treasurer said there would be announcements before the end of the year and there have been major announcements. The member knows that.

Ms. Copps: The minister said before the end of the House session. This is not what you said on the steps. You said before the end of the session.

Hon. Mr. Henderson: Then the member had better be in this House. They have been made here in this House.

Interjections.

Hon. Mr. Henderson: The cow-calf program, \$20 million; the feeder program, \$2 million. If the member did not hear it, there is something wrong with him.

Mr. Bradley: The minister is misinforming.

Hon. Mr. Henderson: There is no misinformation. I will put my seat against that, if the member wants to.

Mr. Peterson: You could put your seat against the wall and count—

Hon. Mr. Henderson: Come on now, put up. That is what the Treasurer said and that is what happened. Mr. Speaker, you were here this morning. You were here at one o'clock when I told that to this House. I told the members here and I told the audience again on the front steps of the Legislature that I got the report of the task force yesterday at noon. I said I am appraising it with my staff and I promise to try and report before this Legislature closes.

Mr. Speaker: Order. I am sure the member for St. Catharines (Mr. Bradley) would like to withdraw that interjection he made.

Mr. Bradley: About misinformation?

Hon. F.S. Miller: Misinforming the House you said.

Mr. Bradley: Mr. Speaker—

Mr. Speaker: I am not going to debate it; I am asking him to withdraw it.

Mr. Bradley: Mr. Speaker, I withdraw that remark.

Mr. Speaker: Thank you. A supplementary by the member for Kent-Elgin.

Mr. McGuigan: I would like to ask the minister if he can arrange to provide for a short moratorium debt period—I must confess I am not one who would want to see a blanket moratorium—for those people who will qualify for the help he is going to announce? Then there would be time for the paperwork to be done and they will not be out of the picture because of an imminent foreclosure. Would he provide assistance for those groups of people so they can qualify for this program he is about to announce?

Hon. Mr. Henderson: Mr. Speaker, this was spoken about at noon when I met with Mr. Spencer and his organization and was brought out quite clearly. After the meeting with Mr. Spencer, I met with the members for Grey (Mr.

McKessock) and for York South (Mr. MacDonald), and I explained I would try to address all the recommendations in the Biggs report before the close of the House.

Mr. MacDonald: Mr. Speaker, the minister always keeps me greatly puzzled as to exactly how he will “try to address all the recommendations.” Can the minister give us some indication as to whether there is going to be a fairly comprehensive and total response to the Ontario Federation of Agriculture or is it going to be the ad hoc bits and pieces as we had last June in the face of the representations made at that time?

Hon. Mr. Henderson: Mr. Speaker, the honourable member tries to misquote—

An hon. member: Mislead.

Hon. Mr. Henderson: I will not say “mislead” because he is an honourable member.

Again, my former proposal still stands. I will attempt to address the Biggs report and the special committee report before the House adjourns. I answered him quite clearly.

Mr. Sweeney: Mr. Speaker, could the minister please advise us why Ontario is last in Canada, according to the farm survey coordinated by the Farm Credit Corporation, both in terms of short-term and long-term support for farmers?

Under short-term liabilities with respect to provincial support, the percentage of provincial government support for Alberta is 0.6; Manitoba is 0.2; Quebec is 2.6; the Atlantic provinces are 2.7; Canada, an average of 0.4; and Ontario is 0.1. Why?

With respect to long-term liabilities; Alberta is 13.2; Saskatchewan is 4; Manitoba is 7.9; Quebec is 50.2; the Atlantic provinces are 41.5; and Ontario is 1.4.

In both areas we are last in Canada. Why? How are Ontario farmers supposed to compete in the agricultural market in this country when this government is supporting them the least of all provincial governments in this country?

Hon. Mr. Henderson: Again, Mr. Speaker—
Interjections.

Mr. Speaker: Order. Order, please.

Mr. Sargent: He asked for it. Let him take it.

Mr. Speaker: I am sure the honourable member who asked the question would like an answer other than from those members of his own caucus. He asked the minister: the minister will reply.

Hon. Mr. Henderson: Mr. Speaker, sitting in your chair day after day you must recognize the lack of co-ordination by that party over there.

Interjections.

Mr. Speaker: Order, please. Would the minister address the question.

Hon. Mr. Henderson: I am attempting to answer the question and I will continue. Those questions were all addressed by the member's colleagues on his left. Had he been here he would have heard my response. It is on the record.

Hon. Mr. Elgie: Mr. Speaker, could I ask the indulgence of the House for a moment to make an urgent and short statement of great interest to the House? Do I have the unanimous permission of the House?

Mr. Speaker: Do we have the consent of the House?

Agreed to.

2:50 p.m.

STATEMENT BY THE MINISTRY

IRWIN TOY DISPUTE

Hon. Mr. Elgie: Mr. Speaker, I am sure the House will be interested to learn that I have just been advised by Mr. Bob Joyce, of the disputes advisory committee in the Irwin Toy strike, that the recommendation made by that committee has been accepted by Irwin Toy.

Mr. R. F. Johnston: Mr. Speaker, that is enough to reconfirm my belief in Santa Claus.

ORAL QUESTIONS

(continued)

MUNICIPAL ASSESSMENTS

Mr. R. F. Johnston: Mr. Speaker, my question is for the Minister of Revenue, and it has to do with the arbitrary curbside assessment process he has developed. The assessment forms, as he is well aware, have only one figure on them and that is the new assessment figure people are receiving. There is no indication on that form of last year's figure. There is no indication on it of an increase in a person's assessment. Many people are still not aware of the significance of that figure on their bill, and they will not know it until they get their tax bill. I suggest that is a particularly important thing for people who have difficulty with the English language in parts of the western area of Toronto.

The appeals deadline is January 12 and people are only now just becoming aware of the

difficulty. In view of this, will the minister not extend that deadline to something that is closer to the time when people will be getting their tax bill so they will be able to undertake a realistic appeal of the huge increases that are coming across at the moment?

Hon. Mr. Ashe: No, Mr. Speaker.

Mr. R. F. Johnston: Supplementary: Supposing we have to wait until tomorrow for his answers to this; the minister must be aware that tonight is the last night his open house is going to be on. This is the last night people are going to be able to go down and try to get some answers to their questions about why their assessments are 500 per cent higher or 300 per cent higher. Will the minister not at least extend that open house period so people can go down? Will he not, at least, suggest that people can find out by phone what other people's assessments are on their street so they will be able to undertake a realistic attack on the unrealistic appraisals that have been given to their homes?

Hon. Mr. Ashe: I could be very brief and say no again, Mr. Speaker, but I think this does require more of an answer than that. As far as the open house program is concerned, if I recall correctly it does not end today; it ended yesterday. I could be out on that but I think yesterday was the last day.

The actual open house period was doubled this year from the previous practice of five days to 10, and the notices of that open house were included with all assessment notices. Along with that the fair bit of publicity given by the media in the past week or so should have alerted any people who were interested. Last but not least, people have the opportunity at any time within convenient business hours, at least as far as a contact is concerned, to call the Toronto assessment office and be put in touch with the assessor who has done their property or is responsible for their neighbourhood.

We are reluctant to carry on a great dialogue on the telephone, for obvious reasons. There is a certain amount of confidentiality in the minds of a lot of people vis-à-vis their property. One never knows, when one is talking on the telephone, whether one is talking to the owner of a property or not. I am not sure that would be a very acceptable use of the telephone by many people out there. I appreciate it would be for some and not for the others. Personal contact is much better.

Again, I want to emphasize that there have been many opportunities. I have no hesitation in

saying if people are still concerned and feel they have not received an adequate answer to their legitimate concerns, they should file an appeal. They have plenty of time to do that yet, because it continues until January 12.

Mr. Peterson: Supplementary, Mr. Speaker: I understand Toronto council is discussing this issue and will come to the minister tomorrow, or possibly today, with a request for a suspension of these arbitrary and unconscionable reassessments brought in by his ministry and his assessors over the past few months. Will he consider that request positively and suspend the action he has been undertaking so everyone has a chance to develop a fair system and not have it as arbitrary and sloppy as it has been under his administration?

Hon. Mr. Ashe: It is great to be a holier-than-thou purist, the way some of the honourable members opposite purport to be. At the same time, they are the first members who will criticize whatever is out there as being unfair and inequitable.

It is too bad certain honourable members and certain members of the Toronto city council did not start to think of all the ratepayers out there and of putting some equality into the system. What it really means is that if taxpayer A is not carrying anywhere near his or her fair share, taxpayer B is paying more than his or her fair share.

There is no doubt the section 86 program would overcome many of these inequities. That has not happened yet so what we have been doing right across the province is reacting to numerous requests over the years from the municipalities to add to the assessment roll the increased values of properties due to additions, renovations, et cetera.

As late as this past year, the municipal advisory committee on assessment data supply and services, which has input from the municipalities, the school boards, et cetera—I will not bore him with it all—recommended that all items which add in excess of \$2,500 market value should be assessed.

That is just one of many times over the last number of years this has been brought forward by municipalities individually or collectively through their respective organizations to criticize us for not keeping their assessment base up to what it should be. That is exactly what we are doing now.

If somebody in the city of Toronto with a property worth \$91,000 is paying less than \$200 in property tax while somebody a few blocks

away is paying five, six and seven times that, I do not know where fairness and equality come in. The changes we are talking about now will at least be one further step towards bringing an equitable system across the province.

Mr. Grande: A supplementary question, Mr. Speaker: I do not know whether I heard the minister correctly. Is the minister encouraging people to appeal their taxes since he is obviously unwilling to extend the deadline of January 12? If the minister is encouraging people to appeal their taxes, is he not aware that in the last year appeals in Metropolitan Toronto alone have increased by 150 per cent and appeals lodged two years ago have still not been heard?

Hon. Mr. Ashe: Mr. Speaker, I will be happy to repeat what I said before if the honourable member did not catch the context. If people still have concerns before the expiry date of the appeals time which is January 12, if they have not had an adequate explanation by contacting the assessment office and so on, then quite rightly they should file appeals. That is what the appeal system is for. That is what an assessment notice is all about.

It says: "Here is your assessment. If you do not agree with it, let us know." That is why the open houses were there and why the appeal process is there. I encourage ratepayers who are not satisfied with the equity of it to file an appeal.

Mr. Epp: On a point of order, Mr. Speaker: The minister is well aware he is at least 48,000 cases behind in appeals as of October—

Mr. Speaker: Order. That is not a point of order.

CHILDREN'S MENTAL HEALTH SERVICES

Mr. R. F. Johnston: Mr. Speaker, My question is for the Provincial Secretary for Social Development (Mrs. Birch), given the absence again of the Minister of Community and Social Services (Mr. Drea). It concerns the dismantling of children's mental health programs around this province. At the same time as we have massive waiting lists, we have fewer kids in care.

Does the minister deny that White Oaks which is being closed will not be replaced at CPRI and at Thistletown, that kids are going to be dumped in the community and that by December 22, 20 of those 32 kids in residence will be out in the community?

Does she deny there is another attempt to destroy the Humber Bay clinic on the grounds

of Lakeshore Psychiatric Hospital, attempts which have been going on since 1976? Supposedly this program will be going to Thistletown Regional Centre, but it really will not be; the program will be destroyed.

3 p.m.

Is she aware that under the guise of developing a new facility, the South Shore School in Sudbury will in fact be dropping the number of children receiving care from 120 to 32 and as a result of this lack of care for kids in mental health centres, what we have is psychiatric hospitals being used improperly under the guise of assessments which are redundant in most cases—like St. Thomas Psychiatric Hospital, where they have four kids in custody at the moment and have had 16 this year, even though there are no child psychiatrists in that facility to do a proper assessment of those kids?

Hon. Mrs. Birch: Mr. Speaker, I think the honourable member has made a lot of allegations that have no basis in truth at all.

Mr. R. F. Johnston: It is another indication of the Provincial Secretary for Social Development being kept in the dark. Is the minister not aware that there is such a lack of co-ordination out there in terms of the placement of kids, that Thistletown, which is supposedly receiving kids from White Oaks, is turning down new applicants who want to take the White Oaks kind of program because it is not going to be offering that program as far as we can tell?

Is she aware that kids in the South Shore School in Sudbury are actually going through family placement counselling right now to move those kids out of their community in Sudbury to the south for treatment because they are expecting not to have the funding to place those extra 90 kids in programs in Sudbury?

Is that what she is going to be doing? What is the minister, who is absent again, going to be doing to look after the 1,700 kids who are on waiting lists? Are we just going to dump more of them into the community and say to the parents: "Look after your own kids. We in this province are not taking any responsibility"?

Hon. Mrs. Birch: The minister will be here tomorrow and I am only too sure he will be very happy to respond to some of the allegations the member has made. So many of them are without any basis.

The philosophy of this government is to make sure children do receive the kind of help they need in their own communities. We work very

hard to ensure that does happen. I cannot accept that some of the suggestions the member has made have happened.

Mr. G. I. Miller: Mr. Speaker, is the minister aware there are 67 acres of well-serviced land and a team that is put together to look after this type of children at White Oaks? Why does the ministry not put good facilities at that property so we can service that area well?

Hon. Mrs. Birch: Mr. Speaker, there are not enough children in residence to warrant the kind of money that would be required to bring that particular property up to those expectations. The children from that facility are going to be looked after in London at CPRI—

Mr. Bradley: That is not what their parents are telling us.

Hon. Mrs. Birch: Yes, they are; and in other community arrangements within their own home communities. Those children have all been very well looked after.

Mr. Cooke: Mr. Speaker, the minister says it is the philosophy of her government to give children the treatment they deserve and need. Keeping in mind that my colleague has indicated that not just one child but four children are in the St. Thomas adult psychiatric facility today and that 16 have been in that facility so far this year, would the minister also keep in mind that this morning when I spoke to Mr. O'Keefe, the administrator of that hospital, he indicated that they had no child psychiatrist or psychologist or social workers on staff?

He said, and I quote: "When they are sent to this hospital they are essentially in a holding pattern, because there are no other facilities for them." Does that fit in with the minister's philosophy? Why does she not get with it as the Provincial Secretary for Social Development and do some planning and provide proper care for the children who need it in this province?

Hon. Mrs. Birch: Mr. Speaker, I take great exception to that. There is nobody in this province who cares more about children than we do and we have attempted to find and provide such—

Mr. Cooke: It's all talk. It's all talk with you.

Hon. Mrs. Birch: I get a little sick of the member and his superiority, just a little tired of it.

INTEREST RATES

Mr. McKessock: Mr. Speaker, I have a question for the Minister of Agriculture and

Food. I want to thank the minister for his co-operation with the events thus far today with the farmers, but the fact is the Ontario government has not kept up with assistance to agriculture the way other provinces have over the last several years, and agriculture in Ontario has fallen into a depressed state both financially and emotionally. We have a group of very energetic farmers and farmers' wives out there who want most of all to continue farming and will continue to work hard for long hours to see that they and agriculture survive in Ontario.

In view of these facts, will the minister give a commitment that he will fine-tune his proposal for tomorrow and give us an assurance that he will give rebates of interest rates back to single-digit size, which has been recommended by the Canadian Farmers Survival Association, for interest payments made in 1981? Second, will the minister provide a long-term lending program to farmers to refinance present debt at 12 per cent or less?

Hon. Mr. Henderson: Mr. Speaker, I did not hear the first three or four words spoken by the member, but let me respond to the portion I did hear.

The member was in the House this morning and heard my remarks at that time. He heard me agree fully with his colleague the member for Huron-Middlesex (Mr. Riddell) that high interest rates and high costs of production are creating a problem. He heard me say the farmers are getting only two thirds of the price they should get. He heard me say that general farm produce needs to increase by 50 per cent. He heard me say that the consumers of this province have had low-priced food for a great many years.

The farm community needs an increase of 50 per cent in the farm-gate price. He heard me criticize myself as a farmer along with the rest of the farm community for not implementing a supply management system where we could help ourselves. He heard me agree to all those things.

The member heard me quite clearly and I will repeat it again. People in the galleries and members of the Liberal Party also heard me this morning. The member attended the meeting with Mr. Spencer, the member for York South and myself. He heard me say I would attempt to try to report to this House before it adjourns.

Mr. Sargent: Mr. Speaker, the taxpayers of Ontario know the way those guys over there operate, the way they keep the promise. Why does the minister bring in this legislation, if he is

going to bring it in, at five minutes to midnight? I do not trust those guys over there. I do not believe the minister is going to do it. He is going to bring in this legislation, whatever it is, at the last moment when we cannot debate it so it will be on the back burner until God knows when. Tomorrow is the last day.

Mr. Speaker: Do you have a question?

Mr. Sargent: My question is this: The minister says he hopes to bring it in. That is not good enough. The government spent \$650 million on Suncor. We are at the bottom of the line in all Canada in this area. I think he must be the worst minister in all Canada if this is the record.

Mr. Speaker: I would draw to the member's attention that he said he was going to ask a question.

Mr. Sargent: I am going to. This is important, Mr. Speaker.

Mr. Speaker: It surely is. What is your question?

Mr. Sargent: Sit down for a minute then.

Mr. Speaker: Just be very careful. That is the last time I will caution you. Now, ask your question.

Mr. Sargent: Will the minister do the same as Quebec and give a minimum of \$300 million, will he make this available to people without equity and will he bring it in tomorrow when we can debate it? Why can the minister not give these people an answer today? What is the big deal about telling them he is going to do something for farmers? What is the big deal? The Treasurer said a month ago he would bring it in. Why can the minister not bring it in today?

3:10 p.m.

Mr. Speaker: Order. You have asked your question. The minister will now reply.

Hon. Mr. Henderson: Mr. Speaker, the member refers to \$300 million in Quebec. I have reminded him on a very clear basis many times that Quebec gets \$1.8 billion in equalization grants that Ontario does not get. Ontario pays \$1 billion of it—

Mr. Mancini: They had their chance with \$400 million and they turned it down.

Mr. Speaker: Order. I would ask the member for Essex South to remain quiet, please.

A new question—the New Democratic Party.

Mr. Di Santo: I defer to the member for Grey-Bruce if the minister wants to answer his question.

Hon. Mr. Henderson: I thank the member for Downsview for giving me the opportunity to complete my response. The taxpayers in Ontario pay \$1 billion of the \$1.8 billion into the federal Treasury. I want to say this while the audience is here so they realize that Ontario is paying money into the federal Treasury which is disposed of in other provinces.

Interjections.

Mr. Speaker: It was by consent the minister replied. Please give him an opportunity to reply.

Mr. Smith: He is not replying, Mr. Speaker. He is simply trying to arouse—

Mr. Speaker: Order.

Mr. Smith: On a point of privilege, Mr. Speaker: It should be obvious to the Speaker in the chamber that the Minister of Agriculture and Food is not trying to use his time to reply to a question that was asked, but instead is attempting to arouse anti-Quebec sentiments based on an alleged—

Interjections.

Mr. Speaker: Order. The honourable member is out of order. The Leader of the Opposition will please resume his seat. That is not a point of privilege. Please resume your seat.

Interjections.

Mr. Speaker: Order, please. It is with regret that I must name the member for Hamilton West and ask him to withdraw for the rest of the day.

Mr. Smith was escorted from the chamber by the Sergeant at Arms.

Interjections.

Mr. Speaker: I would suggest to the Leader of the Opposition and his supporters that he brings dishonour on himself and on this House. Order.

We will have a new question from the member for Downsview. The member for Grey-Bruce will please resume his seat.

Mr. Sargent: He gave me his spot.

Mr. Speaker: We have had enough of this nonsense.

Interjections.

Ms. Copps: On a point of order, Mr. Speaker—

Mr. Speaker: There is nothing out of order.

Mr. T. P. Reid: Withdraw that "nonsense."

Mr. Speaker: No, I will not.

Mr. T. P. Reid: You are going to be withdrawn before you know it.

Mr. Speaker: Order, order.

Ms. Copps: It is a point of order, Mr. Speaker, you have to hear my point of order.

Mr. Speaker: Yes, I will listen to your point of order.

Ms. Copps: My point of order is that the minister has stated in this House that the Quebec government and its farmers survive on equalization payments. This government refused equalization payments.

Mr. Speaker: The member is out of order. That is not a point of order.

Interjections.

Mr. Speaker: Order, order. The member for Downsview.

Mr. Di Santo: Thank you, Mr. Speaker.

Interjections.

Mr. Mancini: It is unparliamentary. It is unbecoming of the Speaker to use that kind of terminology.

Mr. Speaker: Order. I did not direct my remarks to any particular person such as the Leader of the Opposition. I addressed my remarks to all honourable members of this House.

Mr. Roy: Mr. Speaker, on a point of order—

Mr. Speaker: There is no point of order.

Mr. Roy: I have a point of order.

Mr. Speaker: Let me hear it.

Mr. Roy: Mr. Speaker, if you expect the opposition to respect the chair it must be obvious to you that we must get equal treatment. I am saying to you—

Interjections.

Mr. Speaker: Order, order. Please accord the member for Ottawa East the courtesy of making his point.

Mr. Roy: Mr. Speaker, my point simply is this: It is clearly the evidence and the impression of many of us on this side that you give full discretion to cabinet ministers to abuse the time they have been allotted to answer and that in many cases you are too quick to cut off points of order, points of privilege and questions by members of the opposition.

That is sometimes difficult for us to accept. Sometimes you are intimidated by that bunch over there. We do not accept that. We are saying to you we want to respect the chair, but we want to see equal treatment. We should not be intimidated by the whip or the other members on the other side. All we want is equal treatment.

Mr. Speaker: Order. That was very interesting. It was completely out of order. There was no point of order.

Mr. Roy: I think it is—

Mr. Speaker: Your opinion is different from mine, you see.

Mr. Roy: You are a servant of the House, not the government.

Mr. Speaker: I would suggest, with all respect to the member for Ottawa East, that he peruse at his leisure the standing orders of this House. I am sure he will find that the allegations he has chosen to make are completely false and without foundation. The very fact I listened to him was an indication of my fairness. Does the member for Downsview still have a question?

Mr. Di Santo: Mr. Speaker, I regret that I caused the Minister of Agriculture and Food to generate all this chaos, but I will now ask my question.

3:20 p.m.

OHIP OFFICE RELOCATION

Mr. Di Santo: I have a question of the Minister of Health. The minister is aware that the Ontario health insurance plan offices will relocate in Kingston on June 30, 1982. As he knows, a number of employees, because of family obligations, housing problems or for other reasons, do not wish to relocate in Kingston. Can the minister indicate how many employees have already told the ministry they do not wish to relocate in Kingston? For how many of them has the minister found alternative employment within the civil service in order to allow them to stay in Toronto? What concrete plans does the minister have at this time?

Hon. Mr. Timbrell: Mr. Speaker, I certainly am aware of that. As the member knows, the announcement of the move to Kingston was made almost five years ago. One of the reasons, of course, that we gave so much advance notice was to be able to afford opportunities to make other arrangements to those individuals who, as the member already pointed out, did not want to move to Kingston, or could not, for family or personal reasons.

Let me just mention that as of July 9, 1980—the date a number of ministers were in Kingston to confirm various aspects of the move—625 incumbents in the OHIP head office were subject to relocation. As of November 30, almost three weeks ago—and I do not have any more recent figures—of those 625, 250 have made various arrangements. In some cases, people have retired or taken long-term income protection because of medical ailments. Some have transferred to other ministries. Some have transferred to other parts of the Ministry of Health.

About 15 of those positions that were originally thought to be going to Kingston were removed, and about 40 or so have made

commitments to go to Kingston. I cannot remember the exact number but about 30 or 40 are in Kingston now, so that brings it down to 375 as of the end of November.

We have established a relocation unit at the OHIP head office. I visited the OHIP head office on Monday of this week. I went around to several of the floors and talked to the staff, particularly those in sections of OHIP which are subject to relocation and who are, understandably, apprehensive because they have not as yet made other arrangements.

I discussed a number of their concerns with them, which I have taken back to my staff. It seems to me I made it very clear to my staff that the relocation unit we have established should act as the advocate for those people to assist them in making alternative arrangements, especially those who want to relocate to other ministries. By the way, the government imposed a hiring freeze many months ago for the most common categories for that staff, in order that we could try to facilitate their moves to other ministries in the capital area.

I told the staff when I met with them, including one or two of the stewards, that if they had any specific suggestions as to how we could improve the job we are trying to do for them through the relocation unit, I would be more than happy to hear, because that is very much on my mind.

Mr. Di Santo: The minister said he set up a relocation unit, but does he understand that the relocation unit operates only as an applicant right now for employees to the other ministries? In other words, they do not give any assurance at all that employees who do not want to relocate in Kingston will get employment within the civil service.

In view of the fact that the number of people who do not want to relocate is rather high, from what the minister said just now, will he undertake to make a commitment right now that he will raise the issue with Management Board of Cabinet and make sure that those employees who do not want to relocate or who cannot relocate in Kingston will find employment within the civil service, especially those employees who have a very high seniority?

Hon. Mr. Timbrell: I can assure the honourable member that every reasonable effort has been made to assist, and what is more, I repeat, I made the offer to them that if they had any specific suggestions as to how we could do the job better, we would do so.

What I cannot say to the member, and what I

could not say to them, is that I would have any authority to say everybody is absolutely guaranteed a position after the date that those portions of the ministry transfer to Kingston. I do not have the authority to do that and I know I would not be given the authority to do that.

What we will continue to do is assist, in whatever way we can, those who want to transfer to other parts of our ministry or to other parts of the government in the capital area. When I met with the staff the other day, I indicated to them that in previous situations where we have closed or moved facilities, we have found by and large we have been able to, through similar processes, be of assistance to all but a very small number in relocating.

Mr. Di Santo: I would like to ask the minister if he does not think that making arrangements for people who do not want to relocate really means either quitting the civil service or finding alternative employment? That is a hardship the government should not put on employees who have been with it for 15 or 20 years. If the minister is serious, why does he not make a commitment that he will find employment for them within the civil service?

Hon. Mr. Timbrell: I think it behooves us to facilitate the process whereby they would apply for the vacancies that exist. I remind members again that we have applied a hiring freeze in the Metro Toronto area for those categories which most of these people fall into.

Mr. Di Santo: You will have 50 people applying for one job.

Hon. Mr. Timbrell: You are not interested? I said, in fact, to several of them the other day, "Would you really have us take the available jobs and assign you to them?" Of course, the answer was no, because in most cases what we might assign them to would be something they would not want to do at all.

As I said, if there is some way we can do it better, we will try to do so. Our job is to try to facilitate getting people into a position to apply for the available vacancies.

CHILD RESTRAINT DEVICES

Mr. Robinson: Mr. Speaker, I wanted to draw to your attention, as I am sure I have made available to all members of the House this afternoon, a suggestion—

Mr. Martel: Question.

Mr. Robinson: I do have a question.

Mr. Speaker: Well, please let us have the question.

Mr. Robinson: My question is to the Minister of Transportation and Communications. I made available to members of the House this afternoon a publication that the minister provided through his ministry dealing with child restraint for young individuals in automobiles. Is he prepared to reassure the House this afternoon that the legislation to give effect to mandatory child restraint in Ontario will be a priority very early in the new session?

Hon. Mr. Snow: Yes, I am, Mr. Speaker. In fact, during my estimates this morning in committee, I stated I had now received cabinet approval of this particular policy and I would be having the legislation prepared following the first of the year, and that the legislation would be introduced early in the spring session. I expect by the time I have the legislation introduced the federal regulations will have been published and the whole package will have been put forward in an orderly manner.

I would like to say that the honourable member, in the letter that he distributed, has helped me out with my Christmas shopping list because, having had a new granddaughter born this morning at 8:30, I will take the member's advice and see that a proper child restraint device is under the tree for her next week.

3:30 p.m.

Mr. Ruprecht: Mr. Speaker, I would like to take the opportunity on behalf of the Liberal Party to congratulate the minister on the birth of his granddaughter.

Interjection.

Mr. Speaker: Order. Maybe the member for St. Catharines (Mr. Bradley) would let his colleague the member for Parkdale (Mr. Ruprecht) complete his question.

Mr. Bradley: Just worry about interjections from over there.

Mr. Speaker: Order. Question period is coming down to the final minutes, and I am sure the member for Parkdale has an important question he would like to ask.

TORONTO ISLANDS HOMES

Mr. Ruprecht: Mr. Speaker, the Minister of Intergovernmental Affairs (Mr. Wells) is not here; so I would like to ask the Minister of Housing a question.

The minister will surely be aware that under Bill 191, the Municipality of Metropolitan Toronto Amendment Act, this bill will require the islanders to pay market rents and to bring existing homes up to current building code standards.

The minister must be aware that the cumulative effect of these two types of activities will be very detrimental to many of the islanders. I have a list here that indicates that within two to three months up to 145 people will have to leave the islands because the prices and the rents will simply be too high. My question is simply, is this action under Bill 191 designed to create a preserve for the rich, and is it designed to clear out the islanders?

Hon. Mr. Bennett: Mr. Speaker, the member is absolutely right; the bill is the responsibility of my colleague the Minister of Intergovernmental Affairs. But I trust that what the member is really saying is that this government should make sure that any housing provided on the islands, or wherever else it is, will meet the building standards of the municipality in which it happens to be located, and that is exactly what Bill 191 is reiterating.

Mr. Ruprecht: Here we have an anomaly. We have the Minister of Housing saying that downtown Toronto is only for the rich, and he is doing the same darned thing for the islanders. He did not answer the question. Is the minister prepared to agree to phase in rent increases over three years instead of doing it all at once?

Hon. Mr. Bennett: I direct that question to the Minister of Intergovernmental Affairs. The bill will be under discussion later this afternoon, and that will be the appropriate time to get the information.

NURSING HOME BEDS

Mr. Philip: Mr. Speaker, I wonder what the Minister of Health would like me to tell a constituent of mine, Mr. Alexander Nixon, who moved into West Acres senior citizens' apartments to be close to his wife, who was to have been at Kipling Acres nursing home. Since October 2, he has been driving 31 miles a day to visit his wife at Peel Memorial Hospital. It has cost this man \$150 a month for gasoline and parking.

When I spoke to Kipling Acres, I was informed that 25 residents would have to pass on to their great reward in the sky before Mrs. Nixon could be admitted, and this means a minimum of at least four months' waiting. Is this the kind of health care system the minister wants to develop? And what kind of Christmas gift is he going to give to the Nixons, since they have spent all their money driving back and forth to Peel and cannot afford any?

Hon. Mr. Timbrell: Mr. Speaker, first, I would be very surprised if anybody having anything whatsoever to do with a nursing home would use the expression that a number of residents "would have to pass on to their great reward." A great many residents of nursing homes, I am pleased to tell the honourable member, are discharged back to their family homes or other settings.

Second, would the honourable member have me force 25 people out to place this individual? Obviously not.

Third, I am surprised that as a member of the board of the Etobicoke General Hospital, which was given approval recently to build a nursing home on that site, which is even closer to Brampton than is the Kipling Acres nursing home, the member would not have told his constituent that, and that, as a member of the board, he would not see that project is expedited.

INTEREST RATES

Mr. R. F. Johnston: On a point of order, Mr. Speaker: Although you directed the member for Ottawa East (Mr. Roy) to look at Hansard, I ask you if you will please review Hansard in terms of the response by the Minister of Agriculture and Food. Too many times we have heard this remark about equalization payments as they affect Quebec. We never hear it about Tory regimes in New Brunswick, Nova Scotia, Prince Edward Island and other areas. Those kind of extraneous, provocative—

Mr. Speaker: That is not a point of order, with all respect.

Mr. Martel: But it is factual. It is bloody well factual.

Mr. Speaker: Maybe it is, but it is not a point of order. I ask the member for Sudbury East to contain himself.

Mr. Martel: It is always anti-Quebec. They play the game in every answer. They never make another comparison.

Mr. Speaker: Order.

Mr. Martel: Why don't they compare it with Saskatchewan? They are doing something out there that is really different.

Mr. Laughren: Why is it always Quebec? Interjections.

Mr. Speaker: Order. Will the Minister of Agriculture and Food, the Minister of Northern Affairs (Mr. Bernier) and the member for Nickel Belt please refrain?

NOTICE OF DISSATISFACTION

Mr. Speaker: Pursuant to standing order 28, the member for Downsview (Mr. Di Santo) has given notice that he is dissatisfied with the answer to his question given by the Minister of Health (Mr. Timbrell). The matter will be debated at 10:30 this evening.

PETITION

INTEREST RATES

Mr. McKessock: Mr. Speaker, I have a petition from the Concerned Farmers' Wives of Grey and Bruce counties and the Canadian Farmers' Survival Association.

The undersigned petition the Lieutenant Governor and the Legislative Assembly to take immediate action to help alleviate the present economic situation in the rural areas of Ontario where many farmers are going into receivership or bankruptcy and leaving the farms.

I am sure this petition will add great strength to the concerns raised here today.

REPORTS

STANDING COMMITTEE ON
SOCIAL DEVELOPMENT

Mr. Shymko from the standing committee on social development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Labour be granted to Her Majesty for the fiscal year ending March 31, 1982:

Ministry administration program, \$8,101,500; industrial relations program, \$3,088,000; women's program, \$1,004,000; occupational health and safety program, \$22,631,400; employment standards program, \$3,419,000; manpower commission program, \$1,174,000; human rights commission program, \$3,667,000; labour relations board program, \$2,809,000.

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICE

Mr. Treleaven from the standing committee on administration of justice reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Correctional Services be granted to Her Majesty for the fiscal year ending March 31, 1982:

Ministry administration program, \$5,724,300; institutional program, \$103,388,100; community program, \$20,643,400.

And that supply in the following supplementary amount and to defray the expenses of the Ministry of Correctional Services be granted to Her Majesty for the fiscal year ending March 31, 1982:

Institutional program, \$4,000,000.

MOTION

HIGHWAY TRAFFIC AMENDMENT ACT

Hon. Mr. Wells moved that, notwithstanding any standing order, Bill 178, if reported from standing committee today or tomorrow, be allowed to be called for subsequent stages of debate tomorrow.

3:40 p.m.

Mr. Roy: Mr. Speaker, in spite of the abuse we have taken from that side in the last little while—and I will not comment about anything emanating from the chair—I will say that the Attorney General showed some flexibility last evening under the prodding of my colleagues in the Liberal Party who were not prepared to give carte blanche and absolute unfettered power to the police.

But at the same time, and this should go on the record to show the intent of this party, our feelings are like those of the government on this matter. If people at a certain level of alcohol consumption become a threat to the public, we in no way want to delay such legislation.

Having seen the Attorney General's flexibility in curbing and putting limits on the power of the police, we in this party are prepared to co-operate to see this pass into law.

Motion agreed to.

INTRODUCTION OF BILLS

ELECTION FINANCES REFORM
AMENDMENT ACT

Mr. Mancini moved, seconded by Mr. Nixon, first reading of Bill 206, an Act to amend the Election Finances Reform Act.

Motion agreed to.

Mr. Mancini: Mr. Speaker, the bill sets out expenditure ceilings of 90 cents per voter for candidates and 35 cents per voter for parties subject to annual adjustments on the basis—

Interjections.

Mr. Mancini: Will you guys shut up for a minute and let me finish, and I can leave?

Mr. Speaker: Order. I know exactly how the member feels. Will members please accord the courtesy to this member to explain his bill?

Mr. Mancini: These expenditure ceilings will be subject to annual adjustments on the basis of the Statistics Canada consumer price index. Contributions may be made only by individuals and not by corporations or trade unions.

Candidates, parties and constituency associations may not use campaign funds to make contributions to municipal candidates. Taxpayers are permitted to designate up to \$5 of income tax refunds as contributions or may add a similar amount to taxes payable and the Treasurer of Ontario will make payments on their behalf.

Candidates and constituency associations may engage in campaign advertising for the 21-day period preceding polling day and may devote all or any part of their permitted expenditures to advertising. Advertising of government programs is prohibited during the election period.

MORTGAGE PAYMENTS MORATORIUM ACT

Mr. Cooke moved, seconded by Mr. Charlton, first reading of Bill 207, An Act to provide for a Moratorium on Mortgage Payments for Persons affected by an Interruption of Employment.

Motion agreed to.

Mr. Cooke: Mr. Speaker, this bill allows home owners affected by layoffs to defer payments of their mortgages until three months after the layoff has ceased.

MILK AMENDMENT ACT

Mr. Swart moved, seconded by Mr. MacDonald, first reading of Bill 208, An Act to amend the Milk Act.

Motion agreed to.

Mr. Swart: Mr. Speaker, my bill permits a form of minimum and maximum retail price control of milk similar to legislation in Quebec.

This bill would accomplish three things. It would prevent the massive discounting of milk by as much as 30 per cent, which supermarkets demand and get from the dairies; the dairies in turn charge a higher wholesale price to other distributors and retailers. Milk could no longer be used as a loss-leader, with serious overall repercussions. The retail price of milk could be reduced by reducing the markup between the farm price and the price to the consumer.

ANSWER TO QUESTION ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I wish to table

the answer to question 269 standing on the Notice Paper. (See Hansard for Friday, December 18).

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

RETAIL SALES TAX

Mr. Stokes moved, seconded by Mr. Martel, resolution 33:

That in the opinion of this House the government should take immediate steps to reduce retail sales tax for those Ontario residents who live north of the French River from the present rate of seven per cent to three per cent and to reduce the ad valorem tax on gasoline from 20 per cent to 10 per cent.

Mr. Stokes: Mr. Speaker, I want to start out with a quotation from John Stuart Mill on liberty: "The majority being satisfied with the ways of mankind as they now are, for it is they who make them what they are, cannot comprehend why those should not be good enough for everybody."

Northern Ontario has not reached its potential for economic development, because northerners have not been treated fairly by our laws and institutions. A new and more enlightened approach to northern development is needed, one sensitive to the hardships of northern living and one that treats northerners with equity and fairness.

3:50 p.m.

Canada's economic development was influenced enormously by her frontier regions. This fact remains unchanged after 114 years of Confederation, although the frontier has receded somewhat. Today, that northern frontier is northern Canada and northern Ontario.

Major economic, social and political challenges facing Ontario in the 1980s will only be resolved through the use of resources and space in northern Ontario and, more important, with the co-operation of northern residents. There are two ways of securing their co-operation and hence of influencing northern development: through unilateral legislative and declaratory powers, or through negotiation, compromise and a respect for minority rights of northerners.

Ontario politicians must realize that policies designed to win votes for those living in large cities—the urban majority—but showing little consideration for the values and aspirations of those living in northern Ontario, will hurt all of Ontario both economically and politically.

We question the wisdom of allowing urban sprawl to absorb increasing shares of the province's wealth while northern Ontario, and indeed Ontario's future, remains neglected. Ontario's future is inextricably tied to northern development. The key to successful northern development is a strategy based on equity and fairness for northerners.

On February 7, 1957, the Right Honourable John George Diefenbaker stated:

"Insofar as northern Canada is concerned, there can be no question whatever that in the territories there has not been a policy of vision in keeping with the tremendous potentialities of that area. In that area, there are vast resources that should be developed, with the state making possible that development by providing the means and the climate for private industry to develop and to expand.

"I can see this northland of ours with developments envisaged by D'Arcy McGee in his magnificent speech at the time of Confederation as he saw that great Canada. I can see cities in northern Canada and on the Arctic Circle. I can see cities really in northern Ontario. There are vast power potentialities in that area. I can see cities developing there as they are developing today in Norway, if only the government would catch the vision of the possibilities."

On March 3, 1980, the following quotation appeared in the *Toronto Globe and Mail* in an article entitled "Regional Fences No Match for Urban Sprawl," authored by Michael Keating: "Ten years after the Ontario government announced a major plan to stop urban sprawl from choking the Toronto region, Toronto is growing as fast as ever."

The cold climate in the north has a major impact on both the lifestyle and the bank accounts of northern residents. Average temperatures are colder, and the number of frost-free days are fewer in northern Ontario than in the rest of the province.

Living costs attributed to colder weather are difficult to quantify. We can compare prices in the north with prices in urban centres, but we also need to know what quantities of different goods are purchased. For example, northerners must purchase extra home insulation, extra clothing, extra blankets and extra fuel for their automobiles and their furnaces. An automobile's life is shortened by cold weather, snow, ice and gravel roads.

All northerners are also culturally isolated. They endure harsh environmental conditions and pay higher prices for goods and services. They are entitled to tax relief.

The provincial sales tax and the ad valorem tax on gasoline discriminate against northerners. After allowing for the purchase of essentials, such as food, clothing, shelter, fuel, transportation, health care, et cetera, northerners with families of equal size earning the same gross income have smaller net incomes than their counterparts in southern Ontario.

Where one lives in this province affects one's ability to pay. Since living essentials cost significantly more in the north than in other areas of Ontario, then on grounds of equity and fairness all northern residents should be granted relief from the provincial sales tax and the ad valorem tax on gasoline.

Residents of Greenland receive a special taxation privilege from the state of Denmark, and monetary incentives are offered by the central government in the Soviet Union to entice migration to northern areas; and so does Australia. Canada and Ontario are far behind.

There may be objections to tax relief for northerners from the "like it or lump it" school of thought. In other words, if people living in the north do not like the living conditions they can leave. If they do like the living conditions, why we should we compensate them? Northern residents are free to move south if they wish and if they remain where they are; it is of their own choice. Moreover, many people in the north enjoy the wilderness. Northerners living in open and unpolluted spaces are in many ways compensated for the high cost of living and cultural isolation by nature's beauty.

Their lifestyle naturally entails a degree of isolation and higher costs; why should the rest of Ontario subsidize their income through exemptions? Let me tell members why.

First, there are economic barriers: no job skills, widespread unemployment in Ontario and the cost of moving. There are also social barriers: discrimination, particularly experienced by our first citizens, a feeling of alienation because of distance and cultural differences that prevent northerners from securing employment in many Ontario urban centres. These barriers are particularly prohibitive for our native and non-status Indians. In short, northerners cannot leave very easily.

Second, urban Ontario will always need people in the north to supply its industries with resources, its homes with electricity, its cars with oil and its contractors with lumber. Northerners deserve fairer treatment.

Who is going to create the new wealth from our primary industries? Who is to keep the

railways, the highways, the pipelines in operation, and backup services for them, if we simply state: "If you don't like living in the north, just move to the south"?

Retail sales taxes are discriminatory. A disproportionately high share of sales tax revenue is siphoned from the pockets of northerners, because sales tax is charged as a fixed percentage of retail prices, even though retail prices are much higher in northern Ontario than in urban centres.

Northern development is an alternative to and a necessary requirement for continued urbanization. Indeed, Canada's future is closely linked to northern development, but successful northern development requires policies founded on equity and fairness, not on exploitation. Urban Ontario has developed while northern Ontario has been ignored. Vast and sophisticated services and infrastructure are part of the natural environment in cities but considered a luxury in the north.

The cold climate, poor transportation and sparse population cause high living costs. Northern residents are isolated from the mainstream of Canadian life; their medical, communications, cultural, educational, shopping, protection and other needs are not adequately met.

The high cost of living and the isolation in northern Ontario create financial and spiritual hardships not encountered in many urban centres in Canada and in southern Ontario. Many employers in the north must therefore pay special income supplements ranging anywhere from \$2,000 to \$12,000 a year to attract and retain qualified skilled and professional personnel. Many northern taxpayers do not receive any special benefits but must endure northern hardships. They deserve a reduction in sales tax and gas tax.

4 p.m.

One reason northern Ontario is underdeveloped is that provincial laws and policies are not equitable. Consequently, hardships endured by northerners are not compensated for. In fact, they are compounded by a discriminatory tax system.

By way of illustration, I want to indicate some of the reasons why I think this resolution deserves the support of each and every member from all sides of the House. With regard to the ad valorem tax on gasoline, we all know of the disparity between southern and northern Ontario but, for purposes of my argument, I want to indicate how we are even discriminated against

as between points in northern Ontario because of the zoning policies practised by the oil companies in the north.

If one had his car in the city of Thunder Bay and pulled up to one of the self-service gasoline stations, he would be able to fill his tank with regular leaded gasoline for 38.5 cents per litre. If one went to Nipigon, which is 70 miles east, Schreiber, Terrace Bay, Marathon or Manitouwadge, he would pay between five and six cents per litre in excess of what one can buy it for in Thunder Bay.

The gasoline companies say it is the handling and transportation costs. Being a railroader I know what it costs to move a gallon of gas. It is between one and three cents depending on the distance. Along the north shore of Lake Superior we are being asked to pay in excess of 22 cents a gallon more than people in Thunder Bay, in many cases only 70 miles away. Who is getting it in the neck?

By way of illustration, I want to indicate some research I did to support my argument for such a resolution. I took a Canadian Tire catalogue from southern Ontario that a person probably gets in his mailbox or picks up at a Canadian Tire store any place south of the French River. We get ours delivered to us in the mail. I want to quote the disparity, even with a nationally-franchised organization such as Canadian Tire where one would think the prices would be fairly equitable across the entire country, certainly, across the province.

That is not so. If one goes through the southern Ontario Canadian Tire book and sees a tennis table, it will be listed at \$95.99. If he takes the same article with the same serial number that is on sale in northern Ontario in the Canadian Tire store, it is \$101.97.

I even phoned the Scarborough store and asked them for the price of their tennis table. It was not the \$95.99 one would normally pay in a store in southern Ontario. It was not the \$101.97 that we pay in the north. It was \$89.88. As well, the seven per cent sales tax that attaches to the price of any article whenever one buys it is proportionately higher in the north.

Let me give one other example. A cassette tape recorder that sells for \$99.95 in southern Ontario is \$119.95 if I buy that in my own Canadian Tire store in Nipigon. It is the same article. It has the same serial number. There is a difference of \$20 for one cassette tape recorder and another \$1.40 by way of sales tax just because we happen to live north of the French River.

Let me give the example of a water heater that sells in the south for \$177.98. It sells for \$194.98 in the north and, of course, the extra retail sales tax is attached to that. Who is being disadvantaged?

I could go on at great length. I have a whole list of prices by way of comparison. I do not know how much time I have left. Perhaps the table could tell me.

Clerk of the House: Four minutes.

Mr. Stokes: All right.

I think we must provide the kind of unity that must exist in this country to make it work. We all know the dialogue about unity that has been going on for many years but more intensively over the past 18 months, and what Canada means to us as residents. We must make it work for all citizens wherever they may live.

I want to express that same sentiment that exists between southern Ontario and northern Ontario, that feeling of alienation and of being neglected that northerners have. I deplore the kind of discrimination, the kind of injustice that prevails in the most regressive form of taxation we have—the retail sales tax, which is based on the selling price of an article.

For all of the reasons I have mentioned, I hope that all members on all sides of the House will support this resolution.

Mr. McLean: Mr. Speaker, I would like briefly to comment on this resolution. The honourable member asks that the government take immediate steps to reduce the retail sales tax and the ad valorem tax on gasoline for the benefit of Ontario residents living north of the French River. I should make it clear from the outset that I am opposed to this resolution. I oppose it because of the implications its passage would have on the economy of northern Ontario, the state of the provincial treasury and I think most important, the economic unity of this great province.

I will attempt to develop my arguments not in partisan defiance of the member, since I believe my friend possesses all the good intentions that are a trademark of his party, but because of the naive, destructive elements that underlie his resolution. Allow me to list these: First, I am most concerned by the resolution's spirit.

The honourable member should recognize that such a resolution causes the balkanization of our province. Though my friend would not do this intentionally, I respectfully ask him to consider the consequences when we, as a provincial body, begin to confer selective bene-

fits to selected members of the Ontario populace. I simply do not like the direction of that kind of initiative.

The resolution suggests we use the French River as a boundary of privilege. Those above it will get a special deal. Those south of it will not. A measure such as this would be the fuel for the fire of isolation and regionalization in this province. On this point alone I ask that we consider the advisability of such a resolution.

Second, I have doubts the benefits to the north would have been so frequently mentioned, or are really as simple as the honourable member wishes. Both theory and practice should warn us that artificial discriminatory measures will distort the economy of the north, particularly in the boundary region of the French River.

Surely we in Ontario have witnessed enough cars stampeding across our international borders in search of cheap gasoline to understand how price distortions encourage an abuse of the market system. If we as a province have a tax on gasoline and a retail sales tax let us not start to debate who should be taxed and where. Let us direct our energies towards the creation of a justified fair tax for all citizens.

Today my friend would have the French River as a significant boundary and yet, by granting such a boundary for the first time—

Mr. Stokes: That is what Northern Affairs created that boundary for.

4:10 p.m.

Mr. McLean: No, it is not. By granting such a boundary we invite someone else to come along, maybe next Thursday, to try to get his area designated as needing tax relief. No one likes to pay taxes, but fewer like to contribute to a society they deem unfair.

Finally, allow me to turn my attention towards the revenue aspects of our tax system. Retail sales tax revenues form 16 per cent of the total revenues of the province. That is more than corporation taxes, more than established programs financing, more than health insurance premiums, Liquor Control Board of Ontario profits and interest on government investments combined. Yet the honourable member, whose party has more hare-brained billion-dollar schemes than Nelson Skalbania, thinks our province does not really need a chunk of that sales tax income any longer. With that kind of logic, we would soon be as poorly off as the Argonauts or, worse yet, the Alouettes.

Quite sincerely, I take exception to the

members of the third party taking it on themselves to restrict the powers of Ontario's second largest generator of revenue.

My friend is going to say that areas north of the French River do not contribute very much in retail sales tax or fuel taxes. He thinks they should be arbitrarily excluded from a responsibility that is the essence of parliamentary government. I say his oratory just is not enough.

Before designating gratuitous resolutions for him and his party, he should have some sensitivity about the consequences of his actions; in this case, the implementation simply outweighs the good intentions.

Mr. T. P. Reid: Mr. Speaker, it is interesting to have heard the last speaker, who I presume is parroting government policy. I do not know whether he has been instructed to say what he said or has had that speech written for him. I would be interested at some point in hearing from the member for Fort William (Mr. Hennessy) and his views—somebody who might know whereof he speaks.

To add to that member's limited fund of knowledge about northern Ontario, he should be aware that the government has acted in at least two cases to try to rectify the high costs of northern Ontario. One, which no doubt will strike him as rather foolish, because it struck me that way, is that they equalized the price of draft beer in northern Ontario. That was their great policy of a few years ago.

Second, just before an election—the timing seems to have something to do with their recognition that northern Ontario exists—the government in its largess decided that we in northern Ontario would enjoy a \$10 licence fee for our automobiles as opposed to a \$40 licence fee in southern Ontario. The \$30 difference, as I recall, was to provide a subsidy to northern residents of roughly five cents a gallon over the year to ameliorate the higher costs of living in northern Ontario.

Mr. Stokes: For anybody who didn't drive more than 10,000 miles.

Mr. T. P. Reid: Yes—which in northern Ontario is ridiculous, because most people do that within a very few months. The member for Renfrew South (Mr. Yakabuski), who does not even live in northern Ontario, does that in a day, but we will not go into that. He is not here today. He must be out driving around the Legislative Building, building up his mileage.

I want to read, from a publication called *The Guelph Papers*, edited by Robert F. Nixon and

published in 1970, an article called "The Future of Ontario Lies in the North." I want to read one page.

"I see in the not remote distance one great nationality bound like the shield of Achilles by the blue rim of ocean. I see it quartered into many communities, each disposing of its internal affairs but all bound together by free institutions, free intercourse and free commerce." That was stated by Mr. Thomas D'Arcy McGee on a debate on Confederation in 1865 in the Legislative Assembly.

I go on further: "When the Fathers of the Confederation decided to form a nation in the northern part of the North American continent, the decision they made was a political one. Economic and other considerations certainly were examined, but the decision to unite the four provinces was essentially political. The Fathers of Confederation at that time were extremely far-sighted, but they would be a little shocked to see that the nation we know as Canada is nothing more than a strip of communities some 200 miles wide along the American-Canadian border."

That article I commend to all members. It was written by Patrick Reid, the then member for Rainy River.

We have severe problems in northern development. The biggest problem is that there is not the government will, the political will, as represented by this Legislature to do anything about northern development. The history of this province has been one where we have been exploited decade after decade by southern Ontario and the people from the east. That is a euphemism for when things started with the fur trade in Montreal, then the lumber barons and the timber barons, then the mining barons, the large companies and the mining industry.

We have always been an adjunct of southern Ontario which has taken our natural resources, usually in their primary state, to provide economic development, economic opportunities and jobs in southern Ontario.

It has been stated in this chamber many times before that northern Ontario is one of the largest contributors in terms of foreign exchange for the mining and forest resources we export from this province. It was interesting to me to learn some time ago that the forest industry provides more in foreign exchange to Canada and Ontario than any other combination of two resources or manufacturing industries in Canada. One job in 10 is related to the forest industry.

In mining, in Canada there are 44,000 direct

jobs and Ontario provides 44 per cent of those. Even my friend who has left could probably figure out that comes to a large number of jobs in Ontario, all of which are located in northern Ontario.

We never will develop northern Ontario as it should be developed until the government decides to put its political will, muscle and concentration behind northern development. In the meantime, we are locked into our little ghettos of one-industry towns that this government has fostered over the years.

The result of those one-industry towns and small populations based on those one industries has been that the cost of living in these communities is extremely high. It is extremely high because of transportation costs that we do not have to go into any further. We know those already.

We have been captives of the railroads for years. They charged not on an economic basis or a reasonable profit, but on what the traffic could bear. When I was working on my graduate thesis in economics I started to do a study of freight rates in northern Ontario. It became obvious there was no economic rationale for the prices charged by those who did the transportation of goods and materials in northern Ontario. It was done on a sort of catch as catch can basis on what the traffic would bear without any rhyme or reason for the prices charged, except to extract the maximum amount of dollars.

4:20 p.m.

Our costs are partly based on transportation. Obviously, our costs are also based on the distances which are tied in with transportation. They are based on the geography and climate of northern Ontario and on the fact that we have a limited number of people in northern Ontario. In effect, anybody who is in business is not selling the same number of goods as would somebody in a retail business in southern Ontario or in any city. To use the example of my friend from Lake Nipigon, if a person can sell 1,000 ping-pong tables he can afford to sell them at \$94 or \$95, whereas, if they are selling 10 in a particular city in northern Ontario, given the transportation costs, handling costs and so on, he just cannot afford to sell them at the same prices.

The other aspect of that is there is not the competition in northern Ontario, because of one-industry communities and small communities. It is just not economically viable to have a number of hardware stores in a northern Ontario town because there is not the population there

to provide enough commerce to be in competition. Therefore a monopoly situation has developed in most of the communities.

My party will support this resolution. It would appear the government in its wisdom has decided to block it already. I do not entirely agree. My friend from Lake Nipigon has touched on the matter that bothers me frankly, and that is that the sales tax is a regressive tax. Instead, I would commend to him and to members of the House to adopt the policy I recommended to my party some years ago in Sudbury and which was accepted I believe in our 1975 election platform. It is that all those people living north of the French River in northern Ontario be given a tax credit such as we have for senior citizens.

The Acting Speaker (Mr. Cousens): The member has exhausted the time available.

Mr. T. P. Reid: I will just finish then Mr. Speaker, thank you. I would suggest there be a tax credit—that every taxpayer, every family really, in northern Ontario be given a tax credit of between \$300 and \$500 to ameliorate the higher costs of living in northern Ontario.

Mr. Swart: Mr. Speaker, I rise as a southerner to speak on this resolution. In fact, I guess I live about as far south as you can get in Ontario. I want to say that I am diametrically opposed to the comments made and the position taken by the member for Simcoe East (Mr. McLean). If that is the position of the government, and we will find that out I suppose at about ten minutes to six, it is just another example of what a majority means.

If they cannot, three years before the next election, even pay lip service to it—and that is about all they do to any of the proposed benefits that are put forward by the opposition—they have reached a pretty low state indeed.

As a southerner I am even happier now than I was before he spoke, to get up and support my colleague from Lake Nipigon.

Understandably we in this party support a very wide measure of equality. Democratic socialist governments, wherever they have been in power, have brought about greater equality and greater equity. It is because we believe in that higher degree of fairness and sharing that we are opposed to the government's cutback in the Ontario health insurance plan and putting a greater load on those least able to pay.

It is one of the reasons we are opposed to the high interest rates. Mainly we are opposed to them because they are destroying the economy but also because they are causing a redistribu-

tion of income. People who have large amounts of money to invest are able to get an even higher share of the national income than those who have to borrow money and support the higher income of those who already have it.

It is the reason we in this party support greater aid to post-secondary education and measures for full employment, and it is the reason we are prepared to intervene in the economy to provide those measures.

We recognize that northern Ontario is one of the areas in this province that has not been provided with equity and fairness over the years. In fact, it has been discriminated against by this government in many ways. If anything, northern Ontario, more than any other area of this province, ought to have some kind of special financial advantages and privileges for its people.

My colleague, the member for Lake Nipigon, mentioned the cold weather the people have to put up with. Even more important is that the 700,000 or so people who live in the north provide practically all the basic resources upon which the rest of the people in this province depend for their prosperity and wellbeing. That, coupled with the shortage of amenities and the hardships they have to put up with, which we do not recognize in this part of the province, should surely dictate that they should be able to live as well as we do or even better.

My colleague made the broad case about costs being higher in the north. As an example, he took the Canadian Tire catalogue. Because I am the critic for the Ministry of Consumer and Commercial Relations I have had occasion to check out consumer prices, particularly super-market prices. Just today I took the opportunity to check out prices in Sault Ste. Marie compared with the greater Toronto area.

Let me read a few of these into the record. These are all from Dominion Stores in Sault Ste. Marie and Toronto. Hamburger in Toronto is selling this week for \$1.18 a pound. They have a special on, but there is no special in Sault Ste. Marie where it is selling for \$1.48 a pound. The cheapest loaf of bread one can buy is selling for 59 cents in Toronto; in Sault Ste. Marie it costs 78 cents.

Mr. Philip: What about smoked ham? That is what the Minister of Agriculture and Food (Mr. Henderson) would understand.

Mr. Swart: About what?

Mr. Philip: Smoked ham.

Mr. Swart: Let me go on to some other things like toilet tissue. Our forest resources are in the north. Some of those resources are brought south for manufacture here, some are not, yet four rolls of Cottonelle cost \$1.62 in Toronto; and in Sault Ste. Marie they cost \$1.72.

Then we come to something as essential as milk, about which I presented a private member's bill today. In Toronto, a litre of two per cent milk costs 81 cents; homogenized milk costs 86 cents. In Sault Ste. Marie it is 91 cents and 94 cents. Two litres of two per cent milk is \$1.59 in Toronto and \$1.81 in Sault Ste Marie; homogenized milk is \$1.68 and \$1.83. Three quarts of two per cent milk sells in Toronto—and has for more than a month—for \$1.89; in Sault Ste Marie it is \$2.89, one dollar more. About the same range is true for homogenized milk.

Prices are substantially higher in the north. As my colleague has pointed out, this is aggravated because they have to pay the sales tax on top of those higher prices. Thus they are paying a disproportionate share of the sales tax in this province to the provincial Treasury because they must pay more and the government charges them more. The member for Simcoe East (Mr. McLean) talked about balkanization and alienation. The alienation there now is due at least partly to this differential in the way they have been discriminated against.

4:30 p.m.

What my colleague the member for Lake Nipigon (Mr. Stokes) proposes will do more to unite than divide. It is said we cannot make this discrimination in taxation. Taxes are based on a great many things, are they not? They are based on the sizes of families, on how much we drive and the value of homes. Is it not a reasonable factor to bring in that if one lives in northern Ontario, where conditions are more difficult and prices are higher, that can be considered in the whole tax structure? Of course, it can. It can be considered just as easily as the other things.

I will conclude by saying what my colleague proposes is to make a fairer Ontario. The objective is to make it a fairer province for all its citizens and to get greater equality within our society. It also would have some real economic advantages. It is not going to cost a great deal in spite of what the member for Simcoe East said.

Less than 10 per cent of the people live in northern Ontario. One is only cutting their taxes in half. One is only cutting out about four per cent from the sales tax and the gas revenue, perhaps less than that. That is not a lot to provide greater equality. It will have economic

advantages, too. The north has been disadvantaged to a substantial extent over the years in regard to a shortage of various professional people because of the disadvantages of living in the north.

We cannot change the temperature or the distances in the north, but we can change to some extent the economic conditions under which the people live and make it a part of this province where there is equality with the rest of this province and where we show the people in the north that we appreciate having them as part of this province.

Mr. Sheppard: Mr. Speaker, there are no instant or easy solutions to the problems experienced in northern Ontario. Our government is engaged in a long and costly struggle to provide the north with economic prosperity and stability, with job security and the social and personal amenities southern Ontarians have taken for granted.

Our government is committed to providing assistance until the economic and social gap between north and south is closed to create equity between these two different regions. The measures proposed by the member for Lake Nipigon will not solve the problems in the north. Reducing the retail sales tax and the ad valorem tax on gasoline will only have the effect of balkanizing the province.

Northern Ontario's unique geographic, economic and social situation is recognized in the priorities that have been established by the Minister of Northern Affairs (Mr. Bernier). These priorities include response to local initiatives intended to improve the economy of northern Ontario and the quality of life of communities and regions, encouragement of mining exploration and development, assistance to the forestry industry, improvement to air, road and rail transportation systems, and assistance to provide for the special needs of isolated communities for essential services such as health and fire protection.

Helping communities in the north attain social and economic development and self-sufficiency is a major priority of this government. Through the northern community services and development program, for example, assistance is provided for the promotion of industrial development such as the civic centre project in Hornepayne, road and airport construction and maintenance, provision of municipal infrastructure such as water and sewage systems, provision of social and medical service and agricultural revitalization projects.

The goal must be to reduce the inequities between the northern and southern parts of the province and to reduce the effective distance that currently exists between the two regions of the province. I am not at all convinced that the measures proposed by my friend would achieve this goal. Closing the gap requires both economic development and efficient transportation and communications links between the north and the south.

Currently, the Ontario Northland Transportation Commission provides a rail, air and ferry transportation network that links northern communities with each other as well as with communities in southern Ontario.

The ONTC operates three rail passenger services: the Northland service from North Bay to Cochrane; the Polar Bear Express from Cochrane to Moosonee; and the Northlander from North Bay and Timmins to Toronto. I might add that the Ministry of Northern Affairs funds the operating deficits of the passenger service of the ONTC as a commitment to the travelling public of northern Ontario.

The automobile and passenger ferry crosses from Tobermory to Manitoulin Island, providing a necessary communications link between the northern and southern parts of the province as well as a valuable drawing card for tourists.

Mr. Stokes: Is the Bruce Peninsula northern Ontario?

The Acting Speaker (Mr. Cousens): Order.

Mr. Sheppard: As well, norOntair operates nine Twin Otters serving in 21 northern communities.

In addition to these services, the ONTC operates a system of buses, trucks and a telecommunications system that brings radio, television and telephone service to several communities. These services have come a long way in closing the physical gap between northern and southern Ontario.

Contrary to the honourable member's comments, this government is sensitive to the differences which exist between the north and the south. The lower motor vehicle licence fee for northern residents, for example, was instituted at a cost to the government of \$12 million to \$14 million to offset their recognition of higher transportation costs in northern Ontario.

Reduction of the retail sales tax and ad valorem tax on gasoline is not necessary. Any reductions would only have a negative effect on Ontario's economy. To arbitrarily use the sim-

ple "north of the French River" definition does not necessarily benefit those Ontarians in most need of the reduction.

The reduced retail sales tax would create inequities between the large urban centres, where retail prices are comparable to southern Ontario, and the residents of rural northern Ontario, where lower volume, high markups and high transportation costs yield higher prices.

Reduction of the retail sales tax could create unfair competition between retail outlets within and outside these tax-reduced areas. Consumers would be willing to travel considerable distances to buy high-priced merchandise at a tax saving, thus distorting the normal trading patterns in tax revenues in neighbouring areas.

Further, a retail sales tax reduction does not necessarily imply that it will benefit the designated region. Once the retail sales tax is reduced, there is no further control on the pricing or the destination of the merchandising.

Similarly, the reduction on the ad valorem tax on gasoline would create distortions in the economy which could be exploited by some to the detriment of those in most need.

In short, the honourable member's resolution does not address a cohesive package of how to meet the real needs of our northern residents. The challenge is economy, growth and prosperity.

4:40 p.m.

Mr. Sweeney: Mr. Speaker, I want to compliment the member for Lake Nipigon, who introduced this resolution, and to go on record very clearly as supporting the principle of what he is suggesting.

I am not sure, and I say this to the honourable member, whether or not the particular process he has described—in other words, dealing with the sales tax—is the best way to do it. I have a sense that the proposal of my colleague the member for Rainy River (Mr. T. P. Reid) may have more merit to it.

But I do not think that is the point. I think the point that both the member for Lake Nipigon and the member for Rainy River are drawing to our attention, although they would arrive at the end result in different ways, is that there is a case of imbalance, a case of inequality once we get north of the French River as compared to southern Ontario.

I can remember very clearly about a year and a half ago—it might even be two years now—when we were talking about financing Algoma College in Sault Ste. Marie. The gentleman in

the House who is affectionately known as the governor of northern Ontario and I had a bit of a debate in committee in terms of just what was the principle that was at stake here.

I remember the member for Kenora (Mr. Bernier) was pointing out that Algoma was getting no less than the comparable colleges and universities in southern Ontario. But the point I tried to make to him, after having spent some time in that community and after having spent some time with the students and the faculty who attend school there and who work at Algoma College, was to indicate that we cannot use the same criteria in northern Ontario as we do in southern Ontario.

When we consider the vast distances involved, when we consider the sparseness of the population with respect to the land mass, the criteria just do not fit and, therefore, in that situation and in all other situations in northern Ontario we have to recognize that different sets of criteria must apply.

I also remind my honourable colleagues on both sides of the House that most of the people in northern Ontario, although they pay the same taxes as the rest of us—they pay the same income taxes, the same property taxes, the same sales taxes—do not get the same benefit from those taxes.

When one looks at the kind of health care that is available to northern Ontarians in their own area, compared with what is available in southern Ontario, there is no comparison. If a person has a serious health need he somehow has to get to southern Ontario; that cannot be met in the north.

The same thing applies with respect to post-secondary education. I used Algoma College as one small example, but the same thing is generally true. Most post-secondary students in northern Ontario who want to take specialized courses cannot get them in their own areas. They have to come down south. That is equally true for almost everything we want to speak of.

If one looks at the transportation systems that are available to northern Ontarians as compared to southern Ontarians, once again there is no comparison. Yet the people of the north are paying the same income tax, the same sales tax and the same property tax but they are not getting the benefits.

Therefore, some variation of the proposal put forward by my colleague the member for Lake Nipigon must be taken into consideration. We must recognize that if we are going to have

equity and fairness with respect to the people of northern Ontario, then we have to bring something like this in.

I want to address one other point. In the last few times that I was in Sudbury, North Bay and Sault Ste. Marie, one of the attitudes that became very clear when I spoke to the people up there was the sense—how can I put it?—of being used, of being exploited by their neighbours to the south.

They sense that we in southern Ontario do not really see them as a viable community up in the north. We do not really see them as people who have chosen to live in the north. That is where they want to live. That is the kind of lifestyle they want. That is where they want to raise their families. That is where they want to be able to get the same kinds of services that we have available here.

Through measures such as the one that is being proposed now, I think we have to recognize that very essential point that the people themselves feel up there; that is their community, that is their home. They are not up there just to cut down the trees and take the minerals out of the ground and then ship them down for us to process. That is not why they are there. They sense that is the way we look at them; that is the way we perceive them, but those are not their feelings.

Therefore, it is with measures such as this where we say very clearly that we recognize some of the inequities and that we want to start balancing them out. Maybe in the early stages, as we are approaching a fairer distribution of the services that we provide to the people in the north; maybe as we approach that, then we can use measures such as have been proposed by the member for Lake Nipigon and the member for Rainy River to show our citizens in northern Ontario that we do recognize the present imbalances and the present inequalities and that we want to use something like this to work things out a little bit more clearly.

For that reason, I certainly support the spirit of the resolution. We could debate at much greater length whether or not there might not be better ways to arrive at that result.

Mr. Hennessy: On a point of privilege, Mr. Speaker: I would just like to have it in the record that I asked to speak in favour of the resolution but, unfortunately, I could not secure the necessary time. I was disappointed that the member for Lake Nipigon did not at least leave me the three minutes that he had left so I could voice my support for him. I want to put that on the record.

Mr. Mancini: On the same point of privilege, Mr. Speaker: I think it is very unfair for the member for Fort William to criticize the member for Lake Nipigon in the manner in which he has just done because that particular member could have replaced the previous Conservative speaker who was not from the north.

The Deputy Speaker (Mr. Cureatz): Let us have a round robin from all the parties.

Mr. Laughren: I would agree in one sense with the member for Fort William in that his privileges have been abused because his party did not let him speak in support of this resolution.

The Deputy Speaker: What are we doing now?

Mr. Hennessy: I will speak.

The Deputy Speaker: Does the member for Lake Nipigon agree to that?

Mr. Stokes: No, I have three minutes left and I intend to use them.

The Deputy Speaker: That is right.

Mr. Stokes: I think it is very strange and very unusual in that the member for Fort William could have spoken in place of the member for Simcoe East (Mr. McLean), or the member for Northumberland (Mr. Sheppard). Neither he nor the member for Algoma-Manitoulin (Mr. Lane), the member for Nipissing (Mr. Harris), the member for Cochrane North (Mr. Piché), the member for Cochrane South (Mr. Pope) or the member for Timiskaming (Mr. Havrot) ever busied themselves to make sure that they had an opportunity, as was their democratic right, to speak out on this resolution that is so important to everybody in the north.

Mr. Mancini: That's not a point of order.

The Deputy Speaker: Order. Order, please. I was about to advise the member for Lake Nipigon that his three minutes would commence now. A point of order from the member for Fort William? Do not start the three minutes.

Mr. Hennessy: I would just like to tell the member for Lake Nipigon that on Tuesday, when we did have a caucus meeting, I was tied up with the Can-Car committee all day and therefore I could not attend the caucus meeting.

The Deputy Speaker: Order, please. Three minutes for the member for Lake Nipigon, starting now.

Mr. Stokes: I will accept the honourable member for Fort William's mea culpa. If he

could not get on the list and if he has indicated that he is going to be prepared to vote for the resolution, I will tell his constituents that he was the lone Conservative in all of northern Ontario, in fact in all of Ontario, who was prepared to accept in principle this concept.

I want to respond to some comments that were made by the member for Simcoe East where he said that this concept would result in the balkanization of northern Ontario from southern Ontario.

4:50 p.m.

I want to remind him that even in this Legislature we have four members who, because of the nature of their ridings, get special treatment in serving their constituents. The member for Rainy River (Mr. T. P. Reid), the member for Kenora (Mr. Bernier), myself and the member for Cochrane North (Mr. Piché) get a special allowance for flying around our communities. I say that just to highlight the difference between northern Ontario and southern Ontario. If one is driving his car north of the French River, there is a special allowance of so much per kilometre because we have to travel such great distances in the performance of our duties. I have never heard such a ridiculous comment in all my life as the suggestion that this resolution would balkanize people between northern and southern Ontario.

He talks about setting up artificial boundaries. There is nothing artificial about the statistics I have tried to put on the record, supported by my colleagues from Rainy River, Kitchener-Wilmot (Mr. Sweeney) and Welland-Thorold (Mr. Swart) this afternoon. We are not down here selling the members a bill of goods. We are telling them what the conditions are up there. The honourable member is suggesting that the tax is fair the way it is right now. It specifically discriminates against people in the north for all of the reasons I have mentioned.

I just want to say in closing that our future, the future of this province, is inextricably tied to development in northern Ontario that has been hampered by these discriminatory taxes. A more enlightened approach to northern development, one founded on equity and fairness for northerners, is essential for the continued prosperity of all Ontarians.

PROVINCIAL ELECTIONS

Mr. Williams, seconded by Mr. Lane, moved resolution 35:

That in the opinion of this House, the

government should enact legislation to establish a fixed 30-day writ period for provincial elections.

Mr. Williams: Mr. Speaker, the issue before us this afternoon is not a new one. It is one that has been debated on more than one occasion in this House in recent times, although it has been debated in segments. There are two aspects to this issue that have to be taken into account. Each of them has been debated separately in its own right, yet both have to be taken into consideration in order to arrive at a decision based on a full assessment of all of the relevant factors.

Let me identify the two elements as they have been previously debated in this House. First, back in 1979, the Provincial Secretary for Resources Development (Mr. Ramsay) put forward the very same resolution that we are debating this afternoon. I might point out that while his resolution did specify by-elections as well, my resolution is deemed to incorporate, in the broader sense, by-elections as well as general provincial elections.

The interesting result of that debate back in 1979 was that the majority of the members of this House, by a vote of 59 to 46, did give support in principle to that resolution. It was done on the basis of knowing the current situation and the history with regard to election periods, not only within our own province but throughout the country.

I would like to review the facts with regard thereto. The current situation is that in Ontario, since about 1937, we have actually had two sets of election periods. During the period of the year between May and October, we have a 37-day writ period, while in what are commonly known as the winter months, November through to April, we have a longer 45-day period, which all of us recall all too well as a result of the most recent election held in March of this year.

Historically, however, this province has had both longer and shorter election periods. From the time of Confederation to the early 1900s, I am advised the election period was a mere 23 days and could have been as long as 27 days. From the early 1900s to 1918, there was a complete reversal of that short election period when, apparently, a change was made with the coming of universal suffrage to establish a 72- to 76-day election period.

There was a moderating of those extremes when, some time following 1918 through to 1924, a new election period was established of 41 to 71 days and no differential was made

between the winter or summer months. It was following that time the province decided to revert to a shorter election period through the period 1924 to approximately 1937 when, it is my understanding and advice, the election period could take between a minimum of 32 days and a maximum of 67 days. Of course, we have the current situation as I have described it.

Let us compare the Ontario situation as it has fluctuated to what the current situation is with other provinces of Canada. Today, at least half the provinces in Canada have election periods shorter than the one at present in place in Ontario.

For the record, I will cite them. Newfoundland has a 21-day election period; Prince Edward Island, 26 days; Alberta, 28 days; Quebec, 28 days; Saskatchewan, 28 days. Those five provinces have an election period that is even shorter than what is being asked in this resolution.

It is interesting to note the federal government as well has seen the justification in moving to a shorter election period. It is my understanding there is at present a bill in the federal Parliament that would provide for the reduction of the current federal 60-day election period to 47 days.

I well recall the arguments used both in favour and against the resolution that the member for Sault Ste. Marie put in 1979. I felt the sponsor of the resolution at that time put his case very well. He highlighted the significant changes that have occurred in recent times that give justification to seriously considering a shorter election period.

It is fundamentally important that if there is to be a shortening of the election time, it in no way prejudice the rights of the voters and the public at large in this province so that they can cast their ballots on a fully informed basis in a general election or a by-election. That is the ultimate concern and those privileges and rights must be preserved.

I am fully satisfied that in no way would the rights of the citizenry be prejudiced by shortening the election period from 37 to 30 days.

One of the reasons cited by the member for Sault Ste. Marie at that time to justify it was that there have been great improvements made and a great sophistication has evolved with regard to two things.

First, the modes and facilities of transportation within the province allow candidates, particularly those seeking the leadership of their parties and representing the parties in this

Legislature, to move about the province at ease, and within a matter of hours rather than days to any region or part of this province. Certainly, the individual members running in the individual ridings too, can more readily get about their ridings than heretofore has been the case in the earlier part of this century.

5 p.m.

Further, there has been the sophistication in the field of the news media. What is said in Port Arthur at 10 o'clock at night is news in southwestern Ontario on the 11 o'clock news that night. The matter of getting the issues and the activities of the candidates running for election reported anywhere in the province is no longer a problem or a concern. There is almost instantaneous reporting. Because of that, we tend to hear the issues more frequently, and we realize that as far as the voters are concerned they are being besieged with repetitious debate that they have already heard but that in earlier days may not have been made known to them because of the less sophisticated means of disseminating the news and stating the issues.

I do not make the appeal today on the basis of it being easier for the candidates. I think every one of us in this House can campaign for just so long as is necessary under any given ground rules. But I think we do have to be mindful and considerate of two other groups of people: first of all, the citizenry at large and, second, those people who volunteer their time to work so hard and without any remuneration, but simply out of conviction for the candidates they agree to go out and work with from day to day, from the time the election writ is issued until we go to the polls.

But consideration should be given to the general public because of the fact that they become besieged with the issues. It is repeated to them time and time again. Because of the lengthy election period, most candidates will go out and do not one, not two, but perhaps three canvasses in their own ridings. If there are four or five candidates running—say those representing the traditional parties in this House, along with independents—and each one of them went out and knocked on the door of each voter in their riding two or three times, and we multiply that by the number of candidates, I think the citizens' tolerance of the election process starts to wear thin.

I think there can be an excessive amount of electioneering and it does a disservice to the general public. More important is the fact that

because people have a commitment to the candidates and will go out and work for them, consideration should be given to the fact that they give their time and their efforts to go out and work with their candidates in the field strictly on a voluntary basis.

I do not think there is a member in this House who will not acknowledge the fact that so often, as we get into the third or fourth week of the campaign, the volunteers will say: "I think everything has been said that has to be said. We have been out and we have talked to your voters in this riding." For them to have to go out and do it again simply because we have an extra couple of weeks and we have to get the message back a second and third time really is hard to justify to those volunteers. Not that they will not do it, but they seem to feel there is an unnecessary repetition.

In those two respects, some consideration would be given to the general public at large, and to those who actively involve themselves in the election campaigns, by shortening the election period.

The arguments have been made by those who have opposed this proposal in the past that the government members have an advantage and therefore more time must be given to the opposition members to go out and campaign. That is not true, in my judgement, because the opposition parties are as mindful of what is happening in an election year as the members on the government side of the House.

They watch government activity, and they know within a day or two when the election is coming, as do the back-benchers on the government side. I have heard it said that the opposition found out before we did when the actual election date was going to be. I do not know where they get their clairvoyance from, but I have heard it stated.

In the last general election in this province, my recollection is that there were more candidates nominated for the official opposition party than there were members of the government party as the writ was issued. So to say the opposition parties are at a disadvantage and are not prepared is a fallacy.

The other argument made by those opposed to the suggestion of shortening the election period is that the incumbents have an advantage. There may be some truth there, but that is not necessarily the basis on which to argue against shortening the election period. If we use that argument, there should have been more opposition members in the House after the last

election than there are government members. At the time of dissolution of the House before the last election, there were more opposition incumbents than there were government incumbents. It was not a question of numbers.

That myth can easily be destroyed by exemplifying what happened last March 19. It was a question not so much of quantity of incumbent members but rather of the quality of candidates. This party clearly demonstrated it had better quality candidates, a better platform and better programs. As a result, it is clear that majority government was restored quite justifiably by the people of this province to the Conservative Party.

One of the other arguments that has been used is that in the larger rural ridings, especially in the far north, it is more difficult for candidates to get around and that they need more time in order to visit all parts of their ridings. It is interesting to note that one of the members who represents one of those far northern ridings, the member for Rainy River (Mr. T. P. Reid), supported the resolution in that debate of 1979.

I assume he felt it was not really a problem, in servicing a far northern riding, to get out and meet the constituents and convey the issues to all the people who want to exercise their franchise. In fact, no fewer than 10 members from the opposition parties who are still members of this Legislature supported the resolution at that time.

There is another aspect to this issue that is less political and more mechanical; it is more a matter of logistics. This is the issue that was dealt with at the time my colleague the member for Armourdale (Mr. McCaffrey) introduced a resolution to this House, which stated that there should be a permanent voter registration system set up in this province. That debate was of considerable interest, because if we are to shorten the election process we have to find a mechanism by which to do it.

It is not so much a question of campaigning, because clearly from past experience most of the real politicking is done in the last two weeks of an election period in any event. The real difficulty and challenge is the need to organize the enumeration of the voters. It is in this area that we have to address ourselves to that consideration.

5:10 p.m.

The options are basically twofold. One is to remain with the traditional system of enumeration we have today, which can be made even more sophisticated as a result of the recent

amendments that have been made to the Assessment Act and the advances in the technology of computerization.

Through those two means combined, it is clear that the time in which it is necessary to do an enumeration can be significantly shortened to perhaps as much as one third of what is now required; that is, the first weeks of an election period.

If the powers were given to the chief election officer to conduct an assessment at random, as provided for at present under the Assessment Act, an enumeration could be done prior to the issuance of an election writ, thereby reducing the amount of time needed to complete that part of the election process.

In the debates that we had with regard to the voter registration concept, it was made clear at that time that a number of studies have been done on this subject. It was also drawn to the attention of the members that a number of countries in the world have had this type of system in place for some period of time. I direct attention to Britain, the United States, West Germany, Sweden, Australia and Switzerland, to name but a few.

In Britain, there is permanent voter registration system of a fixed nature in the sense that an enumeration is done once every year, starting in the fall and concluding in mid-February of the following year. That list remains in place for a full year. A big disadvantage is that if an election is called eight or nine months away, the list is outdated.

I suggest, however, that if we go to a continuous roll system such as is used in Australia, whereby the list is being updated by reason of the fact that people are required at law to register, the list can be kept current in that fashion. I am suggesting that a system of this nature could be introduced into Ontario as an alternative to the present system that we have. This would equally serve the purpose of reducing the setup time for the purpose of registering voters.

With those considerations, I suggest with this resolution that if we are to have a shorter election period in place by 1985, we must introduce such legislation in the next session of the Legislature, in 1982.

Mr. Mancini: Mr. Speaker, having had the opportunity to sit in the House all afternoon and listen to the previous private member's resolution, which we just finished debating, and to compare the worthiness of that resolution, one can really see where the priorities of the Progressive Conservative members are.

Whereas the member for Lake Nipigon introduced a resolution to give relief to the people of the north, to ease some of the specific economic restraints they live under, the Conservative member for Oriole has introduced a bill which he hopes will help perpetuate the Conservative Party's hold on power in this province.

I sincerely hope that this bill will have as much effect on history as did the member for Oriole's famous topless dancers' bill, which he introduced some time ago.

Mr. Williams: On a point of order, Mr. Speaker: We are talking about a resolution, not a bill, before the House this afternoon.

Mr. Mancini: That was a very enlightening comment by the member for Oriole, and just what I expected. I will continue.

Mr. Williams: I hope you know the difference between a resolution and a bill.

The Deputy Speaker: Order. The chair is listening very intently to the remarks of the member for Essex South (Mr. Mancini), and I would appreciate it very much if he would continue without further interjections.

Mr. Mancini: Thank you, Mr. Speaker. I see that the assistant chief election officer, Mr. Bailie, is with us today in the gallery. I want Mr. Bailie to know that there are many members of the Legislature who oppose very strongly this recommendation being put forward by the member for Oriole.

In my view, the reason for this resolution is nothing but political. The member wants to be able to secure more advantages for the government party, because this resolution would help incumbents; and I say that as an incumbent member of this House.

The member took the opportunity to mention several other provinces in Canada that have shorter election periods than does Ontario. If he is so enamoured with the legislation that is in effect in other provinces, I sincerely hope he will support the private bill I introduced today which would put restraints on election spending and change the Election Expenses Reform Act. I have worded that bill similar to the way other pieces of legislation in different provinces are worded. I hope then, if we go one step further with his logic, that he will be able to support my bill in its entirety.

We, as incumbent members of this Legislature, have many advantages over people who wish to replace us at election time. We have the opportunity to send out newsletters. We have unlimited use of the mail. We get beautiful

plaques to deliver. We have the prestige of being a member in office, and because of that prestige we are invited to all kinds of public events. We are invited to speak on almost any given weekend. I am sure most of us are invited to speak at very important functions in our riding on at least two occasions every weekend. In my view, we have more than enough opportunity to get our points across, let alone having this particular advantage at election time.

Most constituency organizations have requirements in their constitutions whereby all members of the constituency association—I am talking about the political associations in a constituency—have to be notified at least 14 days in advance before a nominating meeting can be held. That is almost half of the time that the member wants to give the nominating candidate to have to campaign.

Granted, there are some constituency associations that waive this part of their constitution, but one still needs to give notice to the constituency association, to put proper ads in the local newspapers, to secure a building to have a meeting, and there are many other technical things that have to be done.

The member for Oriole, who has been here since 1975 and who has had to run three elections, knows what those constraints are. He knows them just as well as I do. And it would take at least a week, a bare minimum of a week to organize a nominating meeting. That means under his bill we would have 21 or 22 days left for the candidate to go about the riding and try to get himself known. It is an immense task.

What reasons does the member for Oriole give us for shortening the election period? The member says the public get tired of listening to all the candidates, there was a record number of candidates, and they get tired of all these commercials. If there was anything they got tired of, it was those silly jingles that the member's party and his government ran: "Preserve it, conserve it," "Good things grow in Ontario" and "Davis can do it." That is what the public got tired of. They probably got so tired of that nonsense that they said, "Let us vote for Davis and get all this stuff off the radio." That is probably what happened.

Ms. Fish: Okay. We'll take it.

Mr. Mancini: I know. That is the difference between the member's party and our party.

5:20 p.m.

Just before I rose to speak this afternoon, I was reading a famous document called The

Guelph Papers, which my colleague the member for Rainy River gave me the opportunity to look at. He is a contributing author to that document. I was reading a contribution made by the former member for Downsview, Mr. Vernon Singer. After I got to page two, he said that basically all we get from the Tories is jingles. He made mention of the jingle, "A place to stand, a place to grow."

The policies and techniques of that party have not changed over the decades they have been in power. They just go from one jingle to another. In the late 1960s and early 1970s it was, "A place to stand, a place to grow." In the late 1970s and early 1980s, it is "Davis can do it."

I listened carefully to all the comments made by the member for Oriole. He has not given any good solid reasons as to why the election process should be curtailed. I want every person in Ontario to have every opportunity to listen to the political parties and to the candidates who represent the parties. If the election period is shortened, that opportunity for everybody is not going to be there. I do not understand why the elimination of six days from the election process is going to make our system any better. I do not understand that logic.

Mr. Di Santo: Mr. Speaker, I listened carefully to the member for Oriole and, with much more pleasure, to the member for Essex South. I wish to contribute to the debate on the resolution by saying that I did not like the resolution to begin with but I am even more convinced it is a bad resolution after hearing the argument made by the member for Oriole. It is not that one would expect any brilliant ideas from that member, but at least I thought that, since he introduced the resolution, he would have a justification for it.

He put forward two arguments; one was that by shortening the election campaign to 30 days, we would save the citizens some trouble with the canvassers. The second point was that we would save the volunteers some work.

It is not the Conservative Party that does intense canvassing. In the last campaign many candidates, in particular the candidate who was parachuted into Downsview, did not do any canvassing at all. He did not bother with the general citizenry. On the contrary, given that he had available to him an incredible amount of money, he was able to leave all kinds of garbage at every household in the riding of Downsview. He did not really bother the citizens by informing them about the election issues. On the

contrary, he created an environmental problem by polluting the riding with his propaganda leaflets.

I also do not think the volunteers should be the main concern for the Conservatives because we well know, if we look at the expenses list just published by the Commission on Election Contributions and Expenses, how much money the Conservative candidates spent in the last campaign for people who did any kind of work, such as putting up signs or distributing leaflets, which in our party is done by volunteers.

I can tell the member for Oriole that our volunteers come to work for us not because they are supporting a system in power but because they believe in our ideas. They are not tired of going out and knocking on doors and talking to the voters; they believe in what they are doing, while in the Conservative Party they have to find people who are paid to do the job.

I do not think that by shortening the campaign one either saves the citizens from being bothered or saves the volunteers from doing some work they do, because they like to do it. The real problem is that behind this bill there is a political consideration. The political consideration is that the Conservatives, since they have been in power for 38 years, assume they will be in power forever. The assumption behind the bill is, "Why bother at all with the elections? So let us shorten the election campaign."

I am sure that if the member for Oriole could—and I think this is consistent with his philosophy and his reactionary mentality—he would have said: "Okay, let's have the elections in one week; let's solve that minor problem in one week and then we can come back and do the real work."

In fact, I know they could do that, because in the last election the Conservative Party spent \$9 million. We know of the intense propaganda through radio and television. I wonder whether the member for Oriole had any concern at all for the general citizenry who wanted to relax after a work day and were deluged with that propaganda. I know that is not a problem for the Conservative Party and that it would rather shorten the campaign, because that party has the money to get access to the media.

That they have the money is very well known. The member for St. Andrew-St. Patrick (Mr. Grossman) raised \$148,000, and he was not even able to spend all that money, even if he made some crazy expenditures like buying a new carpet for an office that would be operated for

only one month. The member for York Mills (Miss Stephenson), the Minister of Education and Colleges and Universities, had so much money she did not know how to spend it and so she organized a golf tournament. The member for Brock (Mr. Welch), the Deputy Premier, had so much money that he spent \$7,000 for meals for people who worked on the campaign. That is the type of democratic process that the conservatives are in love with and would like to perpetuate to be in power forever.

An election campaign is important, because it gives to the candidates and the political parties an opportunity to bring their messages to the people. I think it is very well known, if we look at the Gallup polls—and certainly the Conservatives know that better than we do, because they take all kinds of polls with public money for the benefit of the party.

5:30 p.m.

Under normal circumstances even the Premier of the province has a low profile. Not too many voters recognize the leaders of the political parties, the members of the Legislature or the ministers themselves. I do not know the reason but we have this crazy information system that operates in such a way that the media in general, the newspapers, radio and TV have their priorities. The political debate going on in the province is not a priority because if the people knew what the government was doing, they would probably revolt. The information system is a means of perpetuating the party in power.

Reducing the campaign to 30 days would not serve any practical purpose for the people of Ontario, certainly not in the large ridings ... northern Ontario but not even in the large Metropolitan areas where the candidates need to do their work. In large ridings like mine where there is a population of more than 100,000, if one does not have the kind of money that is available to the Conservative candidate one cannot even contact all the voters on the voters' list.

There are technical problems that, even with his disorderly logic, the member for Oriole mentioned himself. How does one solve the problem of enumeration? How does one solve the problem of nominations? There are parties like the New Democratic Party with processes that have to be respected.

Mr. Robinson: Mr. Speaker, I am sure it will not come as a surprise to anyone in the House that I rise in support of this resolution. As a

candidate for the first time in a provincial election I was very concerned about getting my message across to all the voters in my riding. I wanted to be sure I would be able to communicate with them effectively, and also with as many of them as possible.

During my campaign I made use of all the standard vehicles to convey my position to the voters. We have all used speeches, brochures, door-to-door canvassing, meetings, election signs and advertisements in the media. This approach is used by most candidates in an election. We all want the voters to get to know us and to understand our policy positions during the course of a campaign.

I have to wonder if the modern approach to campaigning over an extended period of time does not lead to a situation of information saturation as far as the voters themselves are concerned. Surely the objective of our election system should be to ensure all eligible voters are made aware of the competing policy positions advanced by the various parties involved.

The voters must be able to absorb and digest the information provided to them by the various campaign vehicles to make what we always hope and are sure in Ontario is a rational and informed decision on election day.

When an individual is subjected to a flow of information of such volume he is no longer willing to absorb it, an unconscious process begins to take over. It is a process that becomes one of information selection. The voter begins to block out or turn off when confronted by further demands on his information processing capacity. In this way the volume of the very information on which he is going to be asked to make that kind of rational choice actually prevents him from making one that is fully informed and fully reasoned.

In my opinion a shorter election period would substantially increase the ability of voters to reach a fully informed and comprehensive opinion concerning the issues of leadership and policy. A truly effective democracy depends on a completely informed and interested electorate. I am sure no member would suggest elections be conducted under circumstances which make it difficult for voters rationally to examine all policies available.

I want to make it clear I have no quarrel with the normal campaign vehicles used by all the parties in this House. These are not the source of the potential overload that I was speaking of. My concern tends to be centred on the treatment of elections by the broadcast and the print

media. It is from here I believe there is the greatest possibility for excessive information flow and it is from this source the flow can be most created.

We all know elections become what are called media events. There have been times in the past years when we have had three or four of these media events, one jammed hot on the heels of another. There are also times when we may go for three or four years without an election at all and, unless natural circumstances overtake us, the media does not have the opportunity to develop an event of this magnitude.

But elections are good news for radio, television and newspapers. During a campaign the media are provided daily with information from which they fashion all manner of news reports, commentaries, analyses, background papers, opinions and editorials. As a former journalist myself, I can say there is never any easier time to get the news than during election campaigns. The parties and the workers and the chairmen of all the local ridings are falling over themselves to make sure the press has every scrap of information possible at their disposal.

The volume of this information generated by the news media, of whatever quality it may be, is not and should not be subjected to political control. However the time during which the electorate is bombarded with its information deluge is an appropriate matter of concern for this House.

As I said before, I do not think the normal campaign advertisements, brochures and canvassing contribute to this potential problem. If a voter does not want to read a brochure—he might receive two or three of them in a very short space of time from a number of parties—he simply throws it away and that is the end of the matter.

Similarly I do not believe advertisements sponsored by the various political parties on radio and television contribute to the problem significantly either. But the significance of political communication and the information flow pales in comparison. Possibly the constant and often repetitive newcasts carried on by the media as often as hourly during the entire day—not to mention the critiques, opinions and background programs, analyses and in-depth reports which are presented during the course of an election—may be approaching the point of diminishing returns.

Prolonged exposure to high levels of repetitive and often unhelpful information may cause

a reduction in voter interest and perhaps even lead to a negative voter reaction, a process where the voter will simply decide not to participate in the electoral process. That is the ultimate downside of the entire process.

For these reasons I believe a reduced election period can only be beneficial to the overall electoral process. I have some specific concerns about the security of the assessment enumeration lists which were mentioned earlier and which are being prepared or may be prepared by the assessment commissioner or the chief election officer. In 1976 the member for Armourdale touched on this point when he spoke to his resolution dealing with a permanent voters' list. I think the matter deserves further emphasis here today.

The information accumulated should not be made available to private or other non-government bodies for any reason whatsoever. Of course the assessment roll is used for many other useful purposes rather than just that of providing a municipal enumeration. However, these are all proper within the municipal framework and other frameworks and are carried out exclusively by municipal or provincial governments.

Aside from a basic concern for the rights of the individual and privacy, I believe voter co-operation with this assessment enumeration procedure would be significantly reduced if these individuals somehow started to receive junk mail from firms which might have somehow either purchased or had other access to that general list as a whole.

The member for Oriole has proposed that the chief election officer have the power to monitor and, where necessary, order a complete enumeration at any time in those ridings where he believes the assessment data is drastically out of date.

This is an excellent suggestion. In this way the provincial election office can be sure the data used in our process is always up to date and as accurate as possible. Canadians, though, are apparently very mobile people indeed. In a study prepared by Statistics Canada, entitled *The Frequency of Geographic Mobility in the Population of Canada*, it is noted that nearly one half of the residents of Canada changed the location of their homes between 1966 and 1971. Nearly two out of every three Canadians between the ages of 20 and 34 years changed his place of residence also between the 1966 and 1971

period. For this reason I believe the chief election officer should have the authority to order enumerations where necessary.

5:40 p.m.

I will be interested to study exactly how the chief election officer will monitor all the ridings in the province for population change or mobility and decide where an enumeration is necessary. Will he be dependent upon the assessment commissioner or will he be able to accumulate his own data? Or will he make decisions based on demographic models with built-in assumptions about population change, shift and mobility? I believe he should have the authority to seek the co-operation of the assessment commissioner as well as the municipal clerk in all these matters.

Of course I would also expect the election officer would be receptive to the concerns of the sitting member for any given riding which is coming in question. For these reasons I believe this resolution is deserving of support from all members of this House and I commend the member for Oriole (Mr. Williams) for raising it.

Mr. Samis: Mr. Speaker, on a point of privilege: I am sure you and the other members of the House would like to join me in welcoming the former member for Scarborough-Ellesmere (Mr. Warner) who is in the gallery. He is now on sabbatical and will soon be returning to this chamber.

Mr. Bradley: Mr. Speaker, I hope you are taking that off the NDP's time.

I rise to speak in opposition to this resolution which I believe is designed to give the government and the incumbents yet another advantage in the electoral process in Ontario.

On many occasions members of the government have attempted to be very critical of resolutions which are put forward on this side of the Legislature as they relate to making it a more democratic process. Witness the speeches we heard from members opposite when we talked about the election expenses and contributions and how this is a built-in advantage to the government.

I see this resolution as another attempt to find an advantage to perpetuate this government for yet another four, eight or whatever number of years they see fit. We must recognize the government has the power to carry on a high-powered advertising campaign with the taxpayers' money, as this government has done consistently before elections and most blatantly before the last provincial election.

It requires a sufficiently long campaign period to be able to counteract what this government has taken advantage of, using the taxpayers' dollars. This in itself is sufficient reason to want to defeat this resolution.

We must also recognize the government has the opportunity, should it see fit, to call a surprise election—better known in the political jargon as a snap election. They then are able to prepare sufficiently for the election campaign, while the opposition parties, not aware the government is about to call an election, would not have that same advantage. This is yet another reason for wanting to defeat this resolution.

We recognize many of the campaign activities that take place require a lot of planning ahead of time. I think of such things as public meetings that must be called by various groups that are interested in hearing from all of the candidates. They wish to hear the candidates in person, not just listen to high-powered advertising that comes over the electronic media from those parties that have so much money to spend in an election campaign.

Mr. Kerrio: You mean that party.

Mr. Bradley: That party, in this case.

Another drawback—and there are some who have suggested methods of overcoming it—is that when it comes down to the technical end of it, it is very difficult to complete an enumeration in the 30-day period. It is not necessarily impossible, but very difficult to do so.

Interjection.

Mr. Bradley: The very fact the member for London South (Mr. Walker) is in favour of this resolution in itself would be sufficient for me to oppose it. But other than that, I think there are many reasons for being in opposition to this.

Never mind that the government has the most incumbents. Even those of us in opposition who are incumbents might enjoy an advantage to a certain extent over those candidates who want to run against us. To be fair I would like my opponents in any election campaign to have as much time as possible to put across their points of view, to show the electorate what their proposals might be for the individual constituency and for the province as a whole and to give them the same opportunity to meet the people of the riding and discuss the issues that are so important to them.

For these reasons, I feel we would be remiss if we did not express our objections to this

resolution and vote against it. In this of all provinces, although there are other provinces that require the same thing, what is needed is—

Ms. Copps: A new government.

Mr. Bradley: My colleague, the member for Hamilton Centre, suggests a new government. What is needed is a fairer system of electing people to this Legislature, one that breaks down many of the advantages now enjoyed by the governing party. I suspect this is probably the case in many provinces in this country and many other political jurisdictions, but it is most important in a province that has seen one-party rule for a little over 38 years at the present time and has seen that party perpetuate itself in office by a number of very questionable democratic means.

Hon. Mr. Walker: Don't criticize the people. They made the choice.

Mr. Bradley: Mr. Speaker, you cautioned me not to reply to the interjections, I think.

The Acting Speaker: You are doing just fine without listening to that noise.

Hon. Mr. Walker: Ignore the interjections.

Mr. Bradley: I will ignore the interjections from the member for London South. In conclusion, so that my friends in the New Democratic Party can have yet another speaker to speak against this, although we speak and vote as individuals in the private members' hour, I suspect most of us in this party and the NDP will be speaking and voting in opposition to a resolution designed to perpetuate the Family Compact in Ontario.

Mr. Breaugh: Mr. Speaker, I will be brief. This resolution stinks and I do not think it is worthy of the support of this House. We cannot take something as complex as an election process and deal with it in this piecemeal manner with this kind of resolution, in isolation from all the other factors about controlling expenditures, dealing with election periods, and whether one had a fixed roll of voters. All those things have to be considered.

It strikes me this is the beginning of a process the Tories are probably in favour of. This time around they will shorten it to 30 days. Next time they will turn around and change it to 10 days and after that they can dispense with the election process entirely.

I would oppose this resolution.

Mr. Dean: In the few minutes that are left, I would like to speak in support of this motion. I have listened to a lot of talk this afternoon about

the supposed advantage a shorter writ period would give the incumbents. As my colleague, the member for Oriole, already pointed out—and I guess the other speakers were not listening very carefully—prior to the recent election there were more incumbents on the other side of the House than there were on this side. That shows that is not a valid argument; those incumbents did not get returned in the same proportion. What matters is not whether one is an incumbent but whether one is an effective incumbent or candidate.

I believe a shorter election period is very desirable to ensure the public does not get turned off, supersaturated to the extent it does not listen to the genuine arguments that are made.

5:50 p.m.

The matter of the supposed difficulty of having a proper enumeration is not the difficulty it has been made out to be. It is very possible to have the enumeration on the basis of the municipal enumeration, which is done regularly in any case. If there are cases where the chief election officer believes that additional—

Mr. Speaker: The member's time has expired.

RETAIL SALES TAX

The following members having objected by rising, a vote was not taken on resolution 33:

Ashe, Baetz, Barlow, Cousens, Dean, Eaton, Elgie, Fish, Gillies, Gregory, Henderson, Hodgson, Johnson, J. M., Kolyn, Leluk, McCaffrey, McCague, McNeil, Miller, F. S., Norton, Pollock, Robinson, Runciman, Scrivener, Sheppard, Sterling, Stevenson, K. R., Villeneuve, Walker, Watson, Williams, Wiseman—32.

PROVINCIAL ELECTIONS

The following members having objected by rising, a vote was not taken on resolution 35:

Bradley, Breaugh, Conway, Cooke, Copps, Di Santo, Eakins, Eaton, Edighoffer, Elston, Epp, Haggerty, Johnston, R. F., Kerrio, Laughren, MacDonald, Mancini, Martel, Miller, G. I., Newman, Nixon, Peterson, Philip, Reed, J. A., Reid, T. P., Riddell, Roy, Ruprecht, Ruston, Samis, Stokes, Swart, Van Horne, Worton, Wrye—35.

Hon. Mr. Gregory: Mr. Speaker, I wonder if I could have the unanimous agreement of the House to revert to "Motions." It has to do with a standing committee that requires some additional time this evening.

Mr. Speaker: May we have the unanimous consent of the House?

Agreed to.

Interjection.

Hon. Mr. Gregory: Does someone not agree?

Mr. Di Santo: Could it be repeated? I did not understand.

Mr. Speaker: Would you please repeat it? The member said he did not understand it.

MOTION

COMMITTEE SITTING

Hon. Mr. Gregory moved that the standing committee on administration of justice be authorized to meet this evening to consider Bill 178, An Act to amend The Highway Traffic Act.

Hon. Mr. Gregory: The committee has indicated it needs more time. It was not able to finish this afternoon.

Motion agreed to.

The House recessed at 5:56 p.m.

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Official Report (Hansard)



First Session, Thirty-Second Parliament

Thursday, December 17, 1981

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Thursday, December 17, 1981

The House resumed at 8:02 p.m.

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT (concluded)

Resuming consideration of Bill 191, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Chairman: I understand we do have some proposed amendments. The earliest I see is to section 2. In that case, are there any amendments to section 1?

Section 1 agreed to.

On section 2:

Hon. Mr. Wells: Mr. Chairman, I have an amendment to section 2, 215a(1).

Mr. Chairman: Hon. Mr. Wells moves that section 215a(1) of the act as set out in section 2 of the bill be amended by inserting after "structures" in the fourth line "avenues and vacant lands."

Is there any discussion?

Mr. Nixon: What about the minister? Perhaps it would assist the minister in knowing what sort of an explanation might be helpful if he could respond to the feeling from the residents of the islands that they want the bill to accept the fact that they own the houses. They are quite prepared to lease the land at a reasonable figure. But it is not clear to me that the minister's amendment, by adding "avenues and vacant lands" has anything to do with the reference to "lands and structures."

The structures, as I understand it, in the view of the residents of the islands, are their property. While they are intending to lease the right to have those structures on the property for 23 years, they are quite anxious that we at least consider wording that will make it clear the homes Metropolitan Toronto has said repeatedly are worthless shacks—that is the way it considers them—are, in fact, the property of the islanders. Many of them have been maintained in proper condition. But if and when this bill carries in its amended form they will be required to upgrade them to meet the requirements of the bylaws of Toronto.

Hon. Mr. Wells: This amendment concerns the "avenues and vacant lands." It is here in order to indicate that, as well as the lands on which the homes sit, any vacant lots that happen to be scattered in among the homes and certain other lands on Algonquin Island and Ward's Island will also go over to the city of Toronto, in order to provide a buffer zone. They cannot be built on or used for any other purpose but recreation purposes. But it provides, I scattered in among the homes and certain other lands on Algonquin Island and Ward's Island will also go over to the city of Toronto, in order to provide a buffer zone. They cannot be built on or used for any other purpose but recreation purposes. But it provides, I think, a protection for the integrity of the community.

As far as the point my friend brought up, what this legislation does is transfer all the rights, title and interests that now are vested in the Metropolitan corporation to the corporation of the city of Toronto. In other words it remains silent about any matters of ownership. I do not believe it would be fitting at this time to try to put into this bill anything concerning the ownership of the properties.

There were certain leases entered into by the residents back in 1959 that provided for certain things to happen at the end of those times and Metropolitan Toronto was vested with certain rights in so far as the structures are concerned. This act does not change anything but it provides that all those things—the rights, title and interests—that were vested in Metropolitan Toronto are now vested in the city of Toronto and the island residents who will become the lessees and occupants of the homes will deal with the city of Toronto until the year 2005.

Mr. Chairman: Any further questions? I see no further discussion on the proposed amendment. Shall the proposed amendment carry?

Motion agreed to.

Mr. Chairman: Shall section 2, 215a(1) carry as amended? Carried.

I have another amendment in regard to the same section. However, it concerns section 215a(2).

Mr. Nixon: It is a little late for this.

Mr. Chairman: Hon. Mr. Wells moves that section 215a(2) of the act, as set out in section 2 of the bill, be amended by striking out, "and as if the lands were fully serviced and having regard to the duration of the term of the lease and assignment," in the fifth and sixth lines and inserting in lieu thereof, "and having regard to the level of services supplied to the lands on the 9th day of December, 1981, and the duration of the term of the lease and assignment, but for the purpose of calculating the market value rent no consideration shall be given to either the value of improvements made to the structure after the 31st day of August, 1975 or the provision of further services to the lands after the 9th day of December, 1981."

8:10 p.m.

Hon. Mr. Wells: Mr. Chairman, I draw to your attention that I changed the date from the printed amendment that you have before you. The date now reads "31st day of August, 1975" on the second line from the bottom.

Mr. Chairman: Instead of "19th day of October, 1978"?

Hon. Mr. Wells: Yes.

Mr. Epp: As I understand it, this will be helpful to the residents of the islands and therefore we have no difficulty in supporting this amendment.

Mr. Nixon: Mr. Chairman, I just have one comment. I know the minister has done an admirable job in listening to the suggestions from the residents of the islands, and in spite of the fact the chairman of Metropolitan Toronto has indicated that the minister does not have the support of his colleagues in cabinet, or of the other members of his caucus—

Mr. Gillies: Not so.

Mr. Nixon: There may be those who are more readily whipped into line, who are prepared to support the minister. Certainly we support him on this side.

I just want an assurance from the minister, when we talk about certain leasing charges, that he has given consideration to the overall costs to the people who will continue to reside on the island, at least for the next 23 years. It has been put to me that a list of the increments, or ingredients, of the overall costs might very well add up to something with which a normal family income would not be able to cope.

It would be useful if the minister, or his chief adviser, might give us an assurance that we are not going to have a totality—a word that comes

from the federal level—that is going to be such that the present residents of the islands are actually going to be forced off their properties. Could he assure us the right to live there for these 23 years will not be taken over by some sort of a crème de la crème moving down from Scarborough, or one of those places, to take advantage of this situation?

I will not take the time of the House, for a number of reasons, to list the various charges the islanders might be subjected to. By the time the new sewer installation is completed, by the time the leasing charges to Metropolitan Toronto are completed, by the time they pay back rent as called for in this enactment, by the time they pay the new leasing charges, which are going to be established by some sort of an agreement, it may very well be that those who are less disposed to support the claims of the islanders than we, are are going to come up with a bottom line that might accomplish, inadvertently, what we have gone so far to see cannot be accomplished by our intentions.

I have to admit that my syntax is a little elaborate. I was listening to the Premier (Mr. Davis) earlier on, and I may have been infected by his disease, or one of them.

I wonder if the minister can give us some sort of a review, or an assurance, in this connection? I do not think the islanders are looking for something like \$25 a month, although they might accept that if we saw fit to establish that level, but only a fair cost for maintaining the islands community on an individual basis.

Mr. R. F. Johnston: Mr. Chairman, we welcome this amendment, and the recent subamendment. We were concerned with the notion that the assessment of market value to start off the new agreements with the people of the islands would be at such a level that we would be changing the nature of that community dramatically by having those assessments at too high a rate. It strikes me that the amendment that has been proposed, in consultation with the executive of the islands' community association, is useful in terms of having some control over that by adding extra elements to the decision-making of what is market value to what was in the bill originally.

We welcome those additions. The move back to 1975, and we realize there has to be an arbitrary date of some sort, will be particularly useful.

Mr. Ruprecht: Mr. Chairman, the minister was not in the House when I raised the question this afternoon. Let me reiterate one of the

problems here; I am fairly sure he is familiar with it. The cumulative effect of requiring that the building code not be upheld, but that all total requirements be met in terms of the building code and that the fair market rents be charged as well, will be, as I hope the minister realizes, fairly detrimental to many people on the islands.

I am not sure whether the minister has received the note from Mr. Atkinson. The note outlines, in fair detail, precise numbers and streets and the people affected by it. If current market rents were charged and the building code established and the additional costs involved, the minister realizes that close to 145 people would, within the first three months, be unable to live on the island.

I think probably the most important request I have here is to somehow try to allay the islanders' fears and concerns, in terms of these extra charges which might, to some degree and by some people, be considered a round-about way of clearing out people and establishing a new way of either a grand building design or a new way to get people out of there.

I am sure that is not the intention. I am sure the minister has no intention at all of thinking this would be one new way to get them out of there. But to allay fears, mine and theirs, I would very much appreciate his comments, in terms of the expense and his assurance that this would not be a new way to try to have a large-scale development take place.

Hon. Mr. Wells: Mr. Chairman, certainly the purpose of this amendment and this bill is not to remove the community from the island in some back-door way, as the member seems to have indicated. It is to assist and preserve the community on the island. The amendment we have moved assists in establishing a fair way of computing the market value rent that will be paid by Toronto to Metro for each of the various homes, and this provides the ways that will happen.

There is nothing in this bill that forces the city of Toronto to bring those properties up to standard, but there is nothing that prohibits it. My friend who has just spoken knows—he sat on Toronto city council. It will be up that council. It will have a fair degree of discretion in a number of matters under this bill. It will be up to them in the kind of leases they write to decide what they wish to do and how they wish the matter to be handled. I think we have it demonstrated amply that they will do this in a very helpful and sympathetic manner.

The rent that is paid and will be paid by the occupants who lease properties will also be up to the city of Toronto. As I said in my remarks on second reading, while there is a provision for a computation of the fair market value rent that will be paid by the city to Metro for the lands which the city has now taken, there is no automatic provision that the actual amount is the amount that then must be charged by the city of Toronto to the islanders.

8:20 p.m.

They will have a degree of discretion in deciding the kind of lease and the rent that will be arrived at. Overall I think this is a fair amendment. It strikes a proper way of establishing what will be the market value rent or the assistance in establishing that. I do not think it will be detrimental in any way to people living there or cause the dire circumstances the member for Brant-Oxford-Norfolk alluded to.

Mr. Nixon: Mr. Chairman, perhaps the minister who is very conversant with this whole matter, I mean amazingly conversant, would clarify for us the charges residents will be responsible for. It will not be wrapped up in one monthly rental payment. It seems to me there is a list of about five ingredients.

Hon. Mr. Wells: It really will be up to the city. The city will be transacting leases with the occupants, and the city will have to build certain costs the city has into the rent charged. At this point, I cannot tell the member exactly what they are going to do. But the city is first and foremost in the forefront of wanting to preserve the island communities, so I am sure they are not going to look for ways and means of eliminating that community, not by bulldozing it out as Metro wanted to do, but by charges that will make it impossible for people to live there.

I think they will look for a fair and equitable lease arrangement with the occupants, given the fact they must also take into account what general taxpayers of the whole area must pay. That responsibility rests with the city of Toronto, and they will have to exercise that as they transact the lease. But they are not forced to do anything by this bill, except they are given the right to make leases with the new occupants.

Mr. Nixon: I do not want to prolong it, but I do not want the minister to get the impression I was suggesting this was some sort of a funny engine which the city was going to use to clear the island. It could well be, with the province moving the responsibility directly to the city and

accepting no financial responsibility, that present residents might not find it possible to maintain themselves.

At the same time we have made a commitment in the Liberal Party, as the minister has—I don't know whether his party has—for the maintenance of the community on the islands, we have also made a commitment to the people there. I do not suppose we made a commitment to those people by name in perpetuity, but we have to those people who have lived on the island over the years. The last thing we want it to turn into is one of those deals like The Bridle Path that North York has allowed to become established.

Hon. Mr. Wells: I am sure that will not happen. This bill has been worked out in conjunction with the Toronto people, and I am sure they will guarantee the kind of thing my friend says might happen, will not happen.

Mr. Epp: The minister has been very forthright with us. I was wondering if he could be a little more generous in the kind of charges he expects to be charged by the city of Toronto. Surely to goodness after his many marathon meetings with the city of Toronto, with the region, with Metropolitan Toronto, he has obviously discussed the various charges and has a better grasp of them than do the other members of this Legislature. I am sure he would like to share with us some of his discussions, both with the city of Toronto and with Metropolitan Toronto, with respect to these charges.

Hon. Mr. Wells: All I can tell my friend is that I have not had any discussions with them on the dollars and cents of what would be charged. We have not had any of those discussions. All I know is the city of Toronto endorsed the spirit and essence of the Swadron report. They endorsed the community on the islands. They have seen and worked with us on developing this bill and they seem to feel this is an equitable way to move.

I do not think the city of Toronto per se is one of the poor municipalities of this province. It has a very good industrial-commercial base, a good tax rate, and it has developed some good policies towards preserving neighbourhood communities. I do not have any hesitation in believing it will be able to handle this situation very competently.

Mr. Ruprecht: I appreciate what the minister is trying to do and I have one quick question for

him. Has he seen a copy of this letter to the Premier from Mr. Atkinson? I gave it to him either this morning or yesterday.

Hon. Mr. Wells: No, I have not seen it.

Mr. Ruprecht: Very briefly, in this letter I referred to earlier, Mr. Atkinson indicates that even with fair market rents, close to 145 people would have to move within a period of two to three months. Would you be able to comment on that so I can get an indication of how you would answer my question?

Hon. Mr. Wells: I am not sure what my friend is saying. Is he asking if I believe that 145 people will have to move if fair market rent is charged? I don't know the answer to that. I don't know what the fair market rent will be. I really believe a majority of people in Metropolitan Toronto want to preserve the community on the island. They do not want anybody to be charged exorbitant rents. They do not want it to become another Post Road or another Rosedale. However, they do want fair rents to be charged. I think it will be up to the people who become the occupants to decide whether those rents are fair.

My friend, as I said, has been on Toronto city council, as has the member for St. George (Ms. Fish) and others in this House over the years. I am sure these people, who are very much aware and on the side of the islanders, will make sure the matter is handled properly.

Mr. Ruprecht: I appreciate what the minister is saying. If that indeed is the case, and the Minister of Industry and Tourism (Mr. Grossman) has the letter right now, will we be able to include a phasing-in of the rent increase over three years instead of hitting them all at once? That is my question.

Hon. Mr. Wells: That would be up to the city of Toronto in negotiating the leases. We have left a degree of flexibility greater than some people wanted. There are some who felt fair market rent, period, should be in there with no flexibility. We have left the city of Toronto a degree of flexibility in this bill as to what kind of leasing arrangement it will make with the occupants. Any phasing-in arrangement would have to be made by the city.

Mr. Ruprecht: One final question: Sure, we should leave it at the city level, but would we be able to include as a recommendation from the minister's office, or as an addition to this bill, some kind of rider suggesting that the city of Toronto consider phasing in the rent increases over a period of time?

8:30 p.m.

Hon. Mr. Wells: Mr. Chairman, I am sure the very keen politicians in the city will read the Hansard of this debate and see the suggestion the honourable member has brought forward. Certainly, no one is going to disagree if they decide there is some case that deserves this kind of treatment. I cannot think of any other way we can make known to them that this is something that could be done. I am sure they would think of that, and I am sure the residents themselves will suggest it if they feel it should apply in a particular situation.

Motion agreed to.

Mr. Chairman: Hon. Mr. Wells moves that section 215(a) of the act, as set out in section 2 of the bill as printed, be amended by adding thereto the following subsection:

“(4) Notwithstanding subsections 2 and 3, the rent with respect to all of the avenues and vacant lands under the lease and assignment referred to in subsection 1 shall be \$1 per year and vacant lands shall be used only for parks and recreational purposes and no buildings or structures shall be erected on the vacant lands.”

He further moves that subsections 215(a)(4) to (20) be renumbered accordingly when the bill is reprinted.

Prior to discussion, there are no amendments to subsection 3; is that correct? No? Carried? Carried.

Mr. R. F. Johnston: Mr. Chairman, I welcome this addition to the bill in terms of recognizing the need to have transferred, at this nominal charge, the vacant lands on the islands. But it is with some regret that I will accept the motion. What it does cut out is the possibility of infill construction by the city of Toronto. I note that with some regret, because it seems to me that the possibility of infill would be a useful thing for the city in terms of curbing some of the cost in terms of the new sewer facilities et cetera that will have to go in over there, especially in terms of cutting the costs to the islanders themselves. I prefer to have this included as it is than to be left out as it was before.

Motion agreed to.

Mr. Chairman: Shall the amended subsection 4 carry? Carried.

The next amendment I see is to subsection 6; So shall all of subsection 5 carry? Carried.

Mr. Nixon: This is a complicated business.

Mr. Chairman: It sure is. You would think that the bill would have been a little more orderly here.

Hon. Mr. Wells: I apologize for the fact that it may be a little complicated. What we are trying to do here in section 2 of this bill is to write a whole new section for the Municipality of Metropolitan Toronto Act; so we are really working on the small numbers here. We are now on subsection 6.

Mr. Chairman: Hon. Mr. Wells moves that subsection 215(a)(6) of the act, as set out in section 2 of the bill as printed, be amended by adding at the end thereof: “and when an occupant enters into a lease under this section with respect to particular lands and structures, the writ of possession for those particular lands and structures shall cease to have effect.”

Mr. Epp: As a general comment, Mr. Chairman, I know that the minister means well in trying to rectify a number of weaknesses that were inherent in the original bill. But I sometimes find it difficult to accept the fact that the minister has had the Swadron report for some time and that this problem has been with us for a number of years. Finally, when we get the bill in the eleventh hour of this Legislative session—maybe at the eleventh and a half hour—then he comes in with at least 10 or a dozen amendments to the bill. I find that just a little difficult to accept.

I imagine he is a little embarrassed by the whole procedure. I know that he is trying to accommodate the residents, and I appreciate that; I think they should be accommodated. But I find it a little difficult to understand why they were not accommodated in the original bill. We have a bill here of just a few pages and, as I say, we have about a dozen amendments coming in during the very final hours of this session.

Mr. Chairman: I guess you are not speaking to the amendment.

Hon. Mr. Wells: Mr. Chairman, I just want to say to my friend that perhaps that illustrates the difference between him and us over here, because we are very open in wanting people to study the legislation, sitting down with them and then correcting things; that has always been my principle when dealing with legislation. I have to tell the member I am not in any way embarrassed about bringing these amendments into this House.

In the terms of what the lawyers want, we do not need this section. If he were to ask any of the lawyers, the legal beagles that we have drafting bills and so forth, they would say this is absolutely not necessary. The fact is that this section, without this amendment, transfers the

writs of possession, which this House by its bill has prevented from being served, into the city of Toronto. That leaves the power as to whether those writs of possession would ever be exercised with the city of Toronto.

The other day, my friend's colleague the member for Parkdale (Mr. Ruprecht) argued against telling the city of Toronto what they are supposed to do, however, the feeling being that we would not have to tell the city. Because the city is favourable to the islanders, they would not exercise the writs.

But in our meetings with the islanders over the past couple of days, they said they would feel a little more comfortable if this bill indicated that even when those writs are transferred over to the city of Toronto, if and when—and presumably we mean when—a lease is signed with a new occupant, the writ of possession for that particular land and structure will cease to have effect. In other words, we are guaranteeing, by what we pass in this House, the finish of that writ.

I cannot argue with that kind of amendment. I am saying it is the kind of thing lawyers would say we do not need and we would not have to put it in. So I make no apologies for bringing it in here today, but I bring it in because it was suggested by the islanders. To give them a little peace of mind, I am happy to have it in here.

Mr. Chairman: Now that we have had the full discussion about all the amendments, let us get back down to the amendment.

Mr. R. F. Johnston: I thought the discussion about the difference between us and the other side was deemed in order—

Mr. Chairman: I know, but we are trying not to have that discussion. We are trying to have the discussion on the amendment.

Mr. R. F. Johnston: In the spirit of Christmas, I just want to thank the minister for the time and effort that was put into negotiations with the islanders. But I cannot help drawing his attention to last spring, when there was some kind of commitment made that there would be discussions with these same islanders over the summer, which did not occur. Just think what wonderful shape this bill could be in at this point, given their help with these amendments, if we had done that earlier.

Interjection.

Mr. Chairman: We are dealing with Bill 151, An Act to amend the Municipality of Metropolitan Toronto Act—

Mr. Nixon: And the minister is getting a little pious on us. We should remind you, Mr. Chairman, that he is the person who wanted to throttle the islanders slowly under his infamous Bill 5, with all of the writs of possession that were involved in that. If it had not been for the assistance that was given him by the opposition, they would have gone forward with this slow strangulation. While all these guys are making Brownie points for leadership conventions in the future, which will not concern me in any way, we might as well get all this information on the record. Let us carry the section.

Motion agreed to.

8:40 p.m.

Mr. Chairman: Shall the amended subsection 6 carry? Carried.

It is my understanding that there is no proposed amendment to subsection 7. Carried? Carried.

Hon. Mr. Wells moves that clauses 215(a)(8)(a) and (b) of the act, as set out in section 2 of the bill as printed, be struck out and the following substituted therefor:

“(a) only one of the applicants is an occupant, as defined in clause 18(a), of the lands and structures that are the subject matter of the application, that applicant shall be the occupant entitled to enter into the lease with the city of Toronto;

“(b) more than one of the applicants is an occupant, as defined in clause 18(a), of the lands and structures that are the subject matter of the application, the decision as to which of such occupants is the occupant entitled to enter into the lease shall be determined by the city of Toronto, having regard to the age of the occupant, his length of residence on the lands referred to in subsection 1 and any other factors considered relevant by the city of Toronto; or

“(c) none of the applicants is an occupant entitled to a lease under clause (a) or (b), the decision as to who is the occupant, as defined in clause 18(b), entitled to enter into the lease shall be determined by the city of Toronto, having regard to the age of the occupant, his length of residence on the lands referred to in subsection 1 and any other factors considered relevant by the city of Toronto.”

Mr. R. F. Johnston: Mr. Chairman, I just want to get a clarification on the record that, although these people are tenants, there is no reference in this bill to the Residential Tenancies Act for the province. I want to have some assurance that this clause guaranteeing a lease would give the

same kind of protection for these tenants essentially as other tenants in the province might expect under the other legislation.

If the minister is clear about that, or if it turns out later that this is not the case, can we be guaranteed that that is the desire of the government and therefore that amendments would be brought in quickly if that were found not to be the case?

Hon. Mr. Wells: Mr. Chairman, I think I can assure my friend that notwithstanding the fact that the Residential Tenancies Act does not apply to this situation, these tenants or residents will be in a unique position. Once they have established that they are the ones who get the leases, as long as they use the homes as their principal residences and pay their rent, they will be there until the year 2005.

Motion agreed to.

Mr. Chairman: Shall the amended subsection 8 carry? Carried.

Hon. Mr. Wells moves that clause 215(a)(9)(a) of the act, as set out in section 2 of the bill as printed, be amended by inserting, after "under" in the thirteenth line, "a bylaw passed under."

Hon. Mr. Wells: Mr. Chairman, this is merely a correction of the wording to bring it into conformity. The city of Toronto asked for this. Technically, it is a bylaw passed under the Municipal Act in respect of taxes due and unpaid; that is, the setting of the interest rate.

Motion agreed to.

Mr. Chairman: Shall the amended subsection carry? Carried.

I see no further amendments until subsection 15. Shall we presume that all subsections from 10 to 14, inclusive, carry? Carried.

Hon. Mr. Wells moves that 215(a)(15) of the act, as set out in section 2 of the bill as printed, be amended by inserting, after "existing" in the sixth line, the word "walkway."

Mr. Nixon: "Walkway, comma."

Mr. Chairman: We will defer to our scholar.

Mr. Nixon: Well, what is a "walkway water supply"?

Hon. Mr. Wells: "Walkway, comma." Right.
Motion agreed to.

Mr. Chairman: Shall amended subsection 15 carry? Carried.

Hon. Mr. Wells moves that subsection 215(a)(16) of the act, as set out in section 2 of the bill as

printed, be amended by inserting, after "corporation" in the third line, "on or after the day this section comes into force."

Motion agreed to.

Mr. Chairman: Shall amended subsection 16 carry? Carried.

There appear to be no proposed amendments to subsection 17. Shall it carry? Carried.

Hon. Mr. Wells moves that subsection 215(a)(18) of the act, as set out in section 2 of the bill as printed, be struck out and the following substituted therefor:

"(18) In this section, 'occupant' means,

"(a) a person who on or before the ninth day of December 1981 attained the age of majority and who at any time between the nineteenth day of October 1978 and the ninth day of December 1981 was ordinarily resident on Algonquin Island or Ward's Island in the city of Toronto;

"(b) a person who on or before the nineteenth day of October 1978 attained the age of majority and who on that day had a claim in land on Algonquin Island or Ward's Island in the city of Toronto under a lease which existed on the first day of January 1956 or a renewal or extension thereof unless, prior to the coming into force of this section, the person sold his interest in the land to which the claim relates."

Motion agreed to.

Mr. Chairman: Shall amended subsection 18 carry? Carried.

There are no amendments to subsection 19 or 20. Shall they carry? Carried.

Shall sections 215(b)(1) to (3), inclusive, carry? Carried.

Hon. Mr. Wells moves that section 215(b) of the act, as set out in section 2 of the bill as printed, be amended by adding thereto the following subsection, with marginal note, "Convenience store":

"(4) In addition to the uses permitted by subsection 1, the city of Toronto may by bylaw permit the structure occupied by the Ward's Island Residents Association to be used for the location and use therein of a convenience store subject to such terms and conditions as may be set out in the bylaw."

Motion agreed to.

Mr. Chairman: Shall the section as amended carry? Carried.

8:50 p.m.

Now we are at section 215(c). I guess we have to carry that.

Hon. Mr. Wells: On the schedule in section 3, Mr. Chairman, I move that—

Mr. Chairman: Just a minute. We might as well get it done right. Shall section 215(c) carry? Carried.

Section 2, as amended, agreed to.

On section 3:

Mr. Chairman: Hon. Mr. Wells moves that paragraph 5 of item 1 of the schedule to the act, as set out in section 3 of the bill as printed, be amended by inserting, after "avenues" in the first line, "and vacant lands."

He further moves that paragraph 2 of item 2 of the schedule be struck out and the following substituted therefor:

"2. All avenues and vacant lands on the said island except those lands leased and occupied by the Queen City Yacht Club."

Motion agreed to.

Section 3, as amended, agreed to.

Sections 4 and 5 agreed to.

Bill 191, as amended, reported.

Mr. Chairman: Just before the minister moves that the committee rise and report, might I take notice that we have had a number of guests in the gallery. I compliment all of them on their behaviour, in keeping with the solemnity of the chamber.

Mr. Nixon: Mr. Chairman, there is just one thing I want to say about the motion that I meant to say on the bill. The minister was good enough to give me the information requested on the Order Paper as to the costs of the Swadron report. It was indicated that the total commission cost was \$198,649. Legal fees, with no consultation fees, were \$44,303, and the total payment to commissioner Swadron was \$82,489. I thought that was a footnote to the passage of the bill that might be of interest to history.

Hon. Mr. Wells: Mr. Chairman, in making footnotes like that, the member said the total cost was \$198,000, or closer to \$199,000. It is about \$51,000 less than Metro is now spending to fight the bill.

On motion by Mr. Wells, the committee of the whole House reported one bill with certain amendments.

CONCURRENCE IN SUPPLY, MINISTRY OF HEALTH

Mr. Van Horne: Mr. Speaker, I have a few words I would like to pass on to the minister and the members of the House this evening in the final throes of this fall session.

I feel very sad in a way that I have to be critical, as I am going to, because personally I

do not have too many problems with the minister, but I do have problems with his ministry. That will be the thrust of these few remarks this evening.

I have to begin these remarks by pointing out that the affairs of this House have had a somewhat difficult ride in the last few months because of the ministry's approach to the way it is running its business and the way that it has presented its legislation.

I want to start by referring to Bill 113, the infamous bill that we had to contend with back in the latter part of June and early July, the bill that amended the Public Hospitals Act and in essence gave the ministry absolute carte blanche to move into any hospital in Ontario wherein there was perceived to be some kind of problem.

We all realize the need for this legislation as it applied to the Toronto East General Hospital, but we certainly tried to make the case as clearly as we could that this legislation was far too broad in that it gave the ministry and the minister absolute and total authority to move into any hospital in Ontario, and we do not agree with that. We do not agree with that kind of approach.

We lost that battle, as we have lost other battles with the ministry through the year, for the simple reason that the government now has a total majority. We have all been reminded, so many times between March 19 and now, of the happening of March 19.

I submit that I do not know of any member in this House who is dedicated to anything other than serving his or her constituency and trying to make the lives of Ontarians better. As far as I can tell and as far as I know, the members of this House are all committed to that basic principle.

But it is an awfully difficult chore for those of us on this side of the House to try to work in concert, and at the same time to try to prod where we have to and to be critical where we have to, when by and large we are treated with disdain. I have to accuse the government of that, and I want to give one or two examples of things that have happened to us, that have happened to me particularly, to prove the point.

Let me take one example from today. For the past couple of days, one of my researchers—one of our researchers, I should say, because we work collectively on this side—has been attempting to get information from the psychiatric hospitals in Ontario. Today, when I was apprised of the problems that young lady has had in the past couple of days, I joined in with her in

making some of the calls to try to garner information. I will tell the minister what we got in response to some of the calls that were made in the last few days and again particularly today.

We were trying to find out very basic information: the number of patients and to define them as male or female. That was one of the simple things we were trying to find out. One hospital told us today that, since we were Liberals, they could not tell us the information and that we would have to call the Ministry of Health here in Toronto. That hospital, by the way, is in Penetanguishene.

Further to another couple of calls that were made, we received a call back to our research office from a certain George Boddington, who had been informed by the Lakehead Psychiatric Hospital that we were seeking information. He told my researcher it would be easier for him to get the information than for us to get it.

9 p.m.

I want to go back to what I said a few moments ago about all of us trying to work in the same direction to serve our constituents. Sure, in part of the process we try to make our political points, or as our former leader the member for Brant-Oxford-Norfolk said a few moments ago, Brownie points, but for us, as members of Parliament, when trying to serve and work in the pursuit of a better province, to run into that kind of blockage within the system is, to my way of thinking, a form of siege mentality that exists within the government's approach to how it is running things.

One of the basic problems, and we saw it earlier in the House today, is in my view a House that is so divided that it would make most thinking people cry. In my view, what we saw in the House this afternoon between the hours of two and four was a terrible happening. I do not think too many people would disagree if they think about it carefully. Part of the problem is this business of we and they. They are on that side; we are on this side. For heaven's sake, when are we going to put down these silly barriers and work together to get something done?

I asked the minister back in the course of the estimates if we, as members of opposition, would possibly have the opportunity to sit with the government when dealing with such groups as the Ontario Hospital Association, the group that represents the doctors in the province, et cetera. I will be quite candid with the minister and say I do not think I got a fully positive reply to that.

If he wants to respond, if he wants to indicate to me that he thinks such an exercise would be stupid or useless, I would like to hear him say that, because I do not think it would be. I think if he is honest in his heart of hearts he would have to admit that on occasion we do have something to add or to submit which is positive and hopefully useful.

I do not want to go on. I have pages of notes from my research people about the situation that we ran into in the last day or so, but I have to tell him it is pretty discouraging. It is downright—I want to find a word that I can use in the House without being thrown out—it is downright terrible for us to have to scrape, to grovel, to try to get information and be told by people in authority at the hospitals, "Sorry, if you want the information you had better go back to the ministry," and then to be told: "George Boddington is the guy who can help you."

I have to tell the minister he is building up a barrier there. He has many people in these hospitals frightened to talk to anyone. There cannot be any progress when there are people running around fearful for whatever reasons.

A few other points I would like to make are things that have disappointed us and things that I think the ministry should have addressed. I am in receipt of a news release from the College of Physicians and Surgeons of Ontario. It came into my office this past week. The thrust of this is related to the Krever report on medical information of patients.

I do not know when we are going to hear anything about this. Perhaps the minister will send us an early Christmas present this evening. A week from tonight, the minister will be close to the tree. If he is not moved tonight, maybe he will be moved some time closer to Christmas to pass on to us some indication that he is going to address the recommendations made in the Krever report.

I have one or two other points and then I will stop, because I know there are many other concurrences the Speaker is anxious to deal with. Most of us have plans made for the time after tomorrow. If the House carries on next week, I am going to leave my Christmas wish with members this evening, because I will not be here. I think we should finish our business and get out of here by suppertime tomorrow at the very latest. However, I do have one or two final points.

I have criticized the minister, but I say this in all sincerity, I want him to take it as constructive

criticism. Let me go back to the personal reference at the beginning of my comments. The thrust of this is to those people who are working with the minister as opposed to him personally. His ministry has to look at itself. When we look at the things that smack of problems within that ministry—and we can say that is the big one, it is the big dollar spender with the largest number of people—there is evidence, such as the number of sick days taken off.

We did not get at this in the estimates, but the people within that ministry take more sick days than the people in any other ministry. I would like to see that figure. Perhaps the minister could get one of his people to work out on a per capita basis the number of sick days used. In my view, that is a reflection of a problem there.

If his staff was really with it they would have him acting as a leader rather than a fireman. What he has had to do, unfortunately, is put out the fires. We were hoping to see some indication from him that the Ministry of Health has a plan for the future. We do not see that plan when we hear him say that hospitals may now charge whatever rate they wish for their semi-private and private beds. We used to be concerned with a 50 per cent ratio. Now we do not know what it is. Will it be three to one, 75 to 25? Who knows?

Unfortunately, the minister is in the position of having to put out the fire, to cover the problems that have been created to a degree by a lack of thrust from his senior administrators. I know the minister has to be loyal to them and I know it is unfair for a politician to criticize civil servants, but there is a time for civil servants to take a look at themselves. Perhaps one of the big problems he has in his ministry is that the civil service is not doing the job, not giving us the direction we need.

If I were to have a final wish for us in this House, it would be that the Ministry of Health would say, not to me, but to all Ontarians, "We have a plan, we have a decent system, and we have a plan for it for the next decade or two that will see it continue to be the very best possible service in providing health care for the people of Ontario."

Hon. Mr. Timbrell: Mr. Speaker, I would like to offer a few comments and I will try to be very brief, no more than an hour. First, I thank the honourable member for twice offering his personal remarks the way he did, trying to separate me from the ministry in some of his criticism. I guess though, having been in the

portfolio as long as I have, I have started to feel like Matthew Dymond. After this length of time it is hard to separate the two.

9:10 p.m.

If I can take them in order, I would like to respond—

Mr. Van Horne: Do you get a gold watch or a gold thermometer at the end of this thing?

Hon. Mr. Timbrell: I will tell you some time what I do get. It cannot go on the record.

Hon. Mr. Elgie: You get the golden gloves.

Hon. Mr. Timbrell: The little rubber ones, yes.

Taking them in order, the member started off his comments by referring to Bill 113. I really must take issue with one of the points he made. I am paraphrasing, but I think I got it down pretty well as he said it. He said this legislation gives the government absolute carte blanche to move in where some problem is perceived. He went on to say his party does not agree with that. We do not either, because in fact that is not what the bill does.

The government has had for many years, and I cannot give him a specific date when this provision was put in, the right under the Public Hospitals Act to appoint an inspector to go in to look at the affairs of a hospital. That is something that has been done from time to time. I will admit I have probably used that authority more than any other previous Minister of Health, maybe more than a number of ministers combined. I think I have used it wisely, selectively and constructively.

An example was the recent inspector's report on the McKellar General Hospital in Thunder Bay, which I thought was a very thorough and well-prepared report. It was a report that was very well-received by the board, interim administration, the medical staff and all the staff, because it was so well done.

Bill 113 is several stages removed and further along from the inspector stage. That authority to appoint a supervisor of a hospital has occurred in the case of Toronto East General hospital after a much more extensive review than the authority to appoint an inspector, and in future would be many steps removed. In order for that authority to be invoked, which we feel on this side is a reasonable authority given the amount of taxpayers' dollars involved and given similar authority that exists with respect to municipalities, school boards and the like, there has to be even more extensive investigation of a hospital than that of an inspector.

This would be prompted only by an inspector turning up a problem he or she could not resolve, then the publishing of that report, and then a 30-day cooling-off period, so that one could be sure the government would not abuse the authority. The hospital where it has first been applied is not in my constituency but it is very near and serves half my constituency.

The fact that we did move in and appoint a very credible individual as a supervisor, who has done a very good job with the co-operation of the board, the medical staff and, indeed, all the staff, has been very well-received by the community. It has been reassuring to them to know that we were prepared to make the tough decision to move in and help the hospital to straighten out its affairs when it was not able to do so itself.

The next point the member referred to is his perceived disdain for opposition MPPs. I am sorry he feels that way. It has always been my practice as long as I have been a minister, which is now almost eight years, to be sure that I know what is happening in the ministry, including when opposition members have a concern about any particular part of it.

I am also concerned about, and I am going to follow up on, some of the answers the member was apparently given within the psychiatric hospitals. I think he has to understand their side of it too. When one considers all the various calls the psychiatric hospitals get, in particular from groups which may not all be as concerned about fair play and doing the right thing as the member is, the member can understand they are perhaps apprehensive, at least, about some of the calls they get.

In my 10 years as a minister, we have regularly tried to channel things—I have never denied it, I think it is a good way to do it—through my office to be sure that members get the information they are asking for. Sometimes it may take a little longer than some think is appropriate but I do not know of any instance where a member has ever asked for information and not received it.

I am rather proud of the individual the member referred to, Mr. Boddington, who is on my staff. Unfortunately, he could not be here tonight. He is a new father within the last week. Indeed, I am proud of all of my staff. There is Dr. Surplis, who is here, and Jo-Anne Boluk, my executive assistant. They are all capable people who go out of their way to assist members on all sides of this House to make sure they get the information they ask for and to help solve their problems.

I know some of the members I see here tonight and others from all three parties have freely availed themselves of the services of various members of my staff when they had problems involving a constituent, a facility or whatever. I am proud of the fact they treat everybody equally.

I have to agree with the basic sentiment of the member's concern about the "we, they" mentality. Unfortunately, as well as we members can get along from time to time, that seems to be built into the system. There is nothing the member or I can do that will ever basically destroy that.

The honourable member suggests, "Could you not bring us into some meetings?" As I said in estimates, I took that very much to heart. That is not to say there is going to be an immediate string of meetings around the province with the Ron and Ross and Dennis show or something like that, but I took it to heart. It works both ways, my friend. My number is in the book. If the member has a beef, an idea or something he thinks I should know about, it works both ways. I hope perhaps that is something we could resolve to improve on in 1982.

On the Krever report, I hope the member received a copy of the speech I gave in the spring of this year to the Stratford Kiwanis Club on the Krever report in which I stated that I as minister and we in the Ministry of Health basically accepted the thrust of the recommendations by Mr. Justice Krever. If he did not get a copy of the speech, I will see he does.

The responsibility for overseeing the development of the response to that report has been given to the Minister without Portfolio the member for Carleton-Grenville (Mr. Sterling) inasmuch as the recommendations cover more than the Ministry of Health. They touch on the Ministry of Consumer and Commercial Relations and one or two others. For our part, I think I stated rather clearly that we accept the thrust of those recommendations.

I asked Dr. James Galloway who is a well-respected and distinguished former president of the Ontario Hospital Association to act, not as a fact-finding commission but as a one-man task force to sit down with the various health disciplines, the OHA and any other interested bodies with respect to the recommendations made regarding the Ministry of Health, our legislation and the retention and confidentiality of health and medical records and to report to me. I could then say to the Minister without Portfolio, "Here is the Health section."

That report is imminent. I thought I would have it by now but there have been some other things that have apparently delayed it. I should have that soon and I hope in the first half of 1982 to be able to turn that over to the Minister without Portfolio and say, "Here is what we are proposing."

If my assistant will make a note of this, I will try to get the member some information on the number of sick days because in fact a couple of years ago it was the Ministry of Health that led the way in establishing programs to overcome problems of time off. The Civil Service Commission ended up copying a number of our programs, adopting a number of our programs government-wide.

9:20 p.m.

There are some parts of the ministry, to be sure, where time off is more of a problem, the ambulance service or in psychiatric services for a variety of physical reasons, injuries, lifting problems, that sort of thing. I am not aware that our ministry stands out above all the others with more sick time. The issue has been raised. I will pursue it and see if we can get the member some information on that.

After working with them for five years, it becomes more difficult to be objective, but let me say that when one considers the relatively small number of people responsible for ordering the work of the Ministry of Health, I think they do a very good job.

It amazed me a few years ago. There was a report prepared for the Department of Health, Education and Welfare in the United States by the international arm of the McKinsey Company on health planning. I should not say it amazed me. It pleased me. In that report they had been asked by the American department of HEW to advise them on health planning systems.

In that report, which I think was about 1978, they indicated that one of the best health planning systems they could find in the world was in the province of Ontario in the Dominion of Canada. They went on to praise the staff of the ministry and to praise our system of district health councils involving the local people in planning for local needs within provincial policy guidelines set down by the Ministry of Health.

I had not really sat down and thought about it, but in that report they pointed out we had in our institutional division, for instance, less than one civil servant per hospital in the province. I am referring, of course, to Dr. Dyer's section of the ministry which oversees the operations of the

240 public hospitals and the expenditure of \$2.75 billion or \$2.8 billion. They were laudatory in their remarks about the job they do.

It is true we have never published a plan. We have never said, "Here, take all the latest guidelines for beds, the latest policies for CAT scanners, for health units, for whatever and publish them in a book." But all the elements of the plan are there and are well-known.

I hope I could convince the member that, if anything, publishing a plan as such could actually be very limiting, as Mr. Lalonde found out with a book he published a few years ago when he was federal minister. But we do have, within the guidelines and the policies of the ministry, and thanks to the local flexibility afforded by health councils, the ability to respond to health needs in a way which is unique in most of the provinces and in North America.

Motion agreed to.

CONCURRENCE IN SUPPLY

Resolutions for supply for the following ministries were concurred in by the House:

Ministry of Treasury and Economics;

Ministry of Industry and Tourism;

Ministry of Government Services;

Ministry of Energy;

Ministry of Consumer and Commercial Relations;

Ministry of the Environment;

Ministry of the Environment (supplementary);

Ministry of Labour;

Ministry of Correctional Services;

Ministry of Correctional Services (supplementary).

Hon. Mr. Wells: Mr. Speaker, perhaps we could call third reading of Bill 191. Also, I understand the justice committee has completed Bill 178, so if we could have unanimous consent to revert to "Reports" perhaps we could have it report the bill back to the House.

What I am suggesting is that first we call third reading of Bill 191, and then, with unanimous consent, revert to "Reports" so the committee can report.

THIRD READINGS

The following bills were given third reading on motion:

Bill 191, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 147, An Act to facilitate the Negotiation and Resolution of Municipal Boundary and Boundary-related Issues.

Mr. Nixon: Our justice people have not come up from downstairs yet. I suggest that we pause for a moment.

Hon. Mr. Wells: The best I can suggest, Mr. Speaker, is that you declare a recess for about 10 minutes while we get the report, because I think we have completed the business that can be done on the Order Paper. It would be very beneficial for the ordering of business tomorrow if we had the report up from the justice committee.

The Acting Speaker (Mr. Cousens): I order a recess now for 10 minutes.

The House recessed at 9:29 p.m. and resumed at 9:43 p.m.

On resumption:

Hon. Mr. Wells: Mr. Speaker, with the consent of the House could we revert to reports?

Mr. Speaker: Do we have the consent of the House to revert to reports?

Agreed to.

REPORTS

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. Treleaven from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill with a certain amendment:

Bill Pr21, An Act respecting the Trusteeship of the Balance Share Warrant of Global Natural Resources Limited.

Your committee begs to report a bill with certain amendments:

Bill 178, an Act to amend the Highway Traffic Act.

Report adopted.

Mr. Speaker: Shall Bill 178, be ordered for third reading?

Agreed to.

HIGHWAY TRAFFIC AMENDMENT ACT

Hon. Mr. McMurtry moved third reading of Bill 178, An Act to amend the Highway Traffic Act.

Mr. Bradley: Here is the guy who made this a half-decent bill. You guys should know that.

Mr. Elston: Mr. Speaker, I welcome the interjection from my honourable friend the member for St. Catharines (Mr. Bradley).

Hon. Mr. Welch: Strictly partisan.

Mr. Elston: I recognize the member for Brock (Mr. Welch) and his interjection, which at this time falls by the wayside in the light of the valuable contributions made in committee by all members.

I want to address the matter of Bill 178, which initially appeared to be going through this House very quickly a week ago tonight. I think it took everyone somewhat by surprise that there was a referral of this bill to committee. I must indicate that on the referral of this matter to committee we heard from three very good witnesses, who came to us on short notice and provided us with extremely valuable information that let us deal at length with the serious matters addressed in this bill. I want to acknowledge the efforts of Mr. Borovoy, Mr. Thomas and Mr. Lucas. All three gentlemen showed a great deal of expertise in their fields.

I want to refer to my opening general remarks on this bill when I spoke a week ago in this Legislature and warned the members of the extremely far-reaching effects of this legislation. I asked all the members to consider carefully what we were doing with the enforcement of the laws of this province. I warned at that time we were broadening the powers of the police under the bill as it was presented. I thought there was confusion with respect to the RIDE, reduce impaired driving everywhere, program.

I felt there were difficulties with the automatic 12-hour suspension provided under the program as set out. I went on to indicate that I felt there was a certain amount of difficulty in the automatic three-year suspension imposed under the section, more familiarly known as the high speed chase section. I still have some concerns, but I think we addressed some of the difficulties I raised initially when we spoke a week ago, in particular with respect to the amendments to section 2 of the bill that dealt with the broadened powers given to the police to stop all motorists in Ontario without any reasonable or probable grounds to believe there was any infraction being committed by those citizens.

We have come a long way in the amendment that was proposed and gratefully accepted by the Solicitor General (Mr. McMurtry). I want to congratulate him for seeing there were serious problems as raised in the committee. Further, I think he must be congratulated for seeing that the RIDE program section of this bill should be neatly contained in one package rather than spread throughout the provisions of sections 1 and 2.

In its original form the bill was probably drafted without regard for the ease of administering it. The amendment to section 1 and the addition we made to the proposed section 30a(1) will now make it clear that the power to stop under that section is related only to the provisions of the RIDE program. It is obvious that was a real concern raised by two people, Mr. Thomas and Mr. Borovoy, when they met with our committee and expressed their concerns about the provisions of the bill with regard to stopping individuals.

9:50 p.m.

To get to the section on the RIDE program, I cannot proceed any further without saying the members of our caucus in the committee still have some concerns. I think the Solicitor General appreciates those, but has indicated that policy decisions have been made and he is prepared to proceed.

We still have the considerable concern that the member for Renfrew North (Mr. Conway) has with respect to the double standard of 0.05 and 0.08. We still have particular difficulty in accepting the automatic suspension of a licence for a period of 12 hours without a chance for the individual citizen to find recourse in the situation where he believes he has suffered a grievance at the hands of the police who have stopped him and initiated the investigation for alcohol. We still feel there are going to be times when individuals, while feeling aggrieved, will also suffer some out-of-pocket expenses, which might very well not be high but, in any event, might be unjustified to that individual citizen in the long run.

When we take a look at our jurisprudence and find we are a civilization based on the concept of due process of law, I think this section must concern us all. In many ways, I do think the honourable members who were present in the committee did appreciate that. At the urging of the Solicitor General and others who dealt with matters of policy and weighing and balancing certain objectives of the program, they preferred to go ahead and have this legislation passed, and I could appreciate that.

We do know, and I appreciate, that we are trying to eliminate those people who are under the influence of alcohol from the roads. That is a very serious matter. It is an objective we support fully. I believe it is an honourable and a laudable objective. I want to explain, however, that we do have a serious problem in that one area. I know the Solicitor General appreciates that.

Further, when it comes down to dealing with this legislation, we came into the second section of the bill and limited the power of the police to stop, so that they now can only stop citizens driving automobiles while they are lawfully exercising their duties and responsibilities, and I think that is a good step. The seriousness of the proposed section 189a(3), as contained in section 2, showed us we should deal with it at some length. The matter was raised in committee, and there is still a concern by the member for Ottawa East (Mr. Roy).

Perhaps the member for Ottawa Centre (Mr. Cassidy) after the next election will also be our colleague. It is great to note that my honourable friend is a representative for all of the city of Ottawa, and is looked upon with a great deal of pride and enthusiasm by all the citizens there. Without lauding him too far, I am going to give him an opportunity to speak further. All members will be able to join in our praise for that individual.

I want to get back to the question of section 189a(3), wherein there was a refusal to leave a certain amount of discretion to the judge, who could make a finding that a police officer had been wilfully led on a chase by an individual. We still have some concerns about that. We were pleased, however, that the Solicitor General saw fit to include in that section an amendment to the original form of the bill that would require a judge to make a finding of a wilful attempt to lead a police officer on a chase.

We would have liked to see a discretion placed in there. We talked this out thoroughly in committee, and having just come from there I am not going to repeat at length our discussion. However, I think it is right that we do put this before the House at this time. Noticing how full the House is, some honourable members probably have not heard our arguments to the fullest; I suggest they read Hansard and find out the real problems which faced us.

Perhaps the most telling thing about this piece of legislation was the fact that when we referred this matter to committee, there were some suggestions that this bill ought not have been referred to committee at all; that it ought to have been passed quickly so that the program could have been in effect quickly.

As a result of the testimony given to us on Tuesday, Wednesday and Thursday, I think we can all see the value and merit of using the committees of the Legislature of this province to deal with pieces of legislation which on the surface may not appear too difficult for most members to swallow.

I think the merit of the committee system and the merit of the democratic process has been proven once again. Members of the opposition, who are unable to accept pieces of legislation, can stand in their places and have a matter referred to committee. When we first came up with amendments, there were three or four major ones, I must say. In the last hour or so of committee tonight, we effected changes to several other sections; changes which, in the long run, have eliminated a lot of problems for law enforcement officers and particularly for the chief law enforcement officer of this province.

I think it was a hurried deliberation on the bill. However, I do think it was as thorough as time would permit. I think we have done an adequate reading of the material, as best we could, so that we could improve upon the legislation to such an extent that it now, at least, is workable in its many facets.

I want to personally thank the Solicitor General for undertaking to the committee this evening to bring this matter back to the justice committee before the end of 1981, so that we can study in detail what has happened to this piece of legislation. I believe no matter how good our witnesses were, that there will be some concern remaining because of our three-day committee deliberations. There will be some concern remaining for some of us that we did not come up with the best possible product.

When this comes back to us again next year, in 1982, I think we can sit down and see if we can improve upon the legislation. I recommend to all honourable members that they take another serious look at this piece of legislation when it comes back to us and please do not be afraid to come to the justice committee to make submissions.

We have discovered a certain hesitancy from members of this assembly who are not members of the legal profession to come to the justice committee and make their concerns known. I must indicate that some of the most wise and careful deliberations and suggestions in our committee were made by members who were not trained in the law. I particularly note my colleague the member for Renfrew North (Mr. Conway) whose concerns have spoken well for his dedication to his legislative career. I speak as well of other members of the committee, some of whom are not here at the moment, but whose concerns also spoke well in dealing with the basic concerns in this bill.

With that, Mr. Speaker, I would like to think

that this deliberation, the exercise of our committee, has been a success and helpful to the Solicitor General and the people in his offices. Maybe the next time we have some very important legislation coming on, we can have a longer time to deal with it and certainly take a longer time to consider just how much committee deliberation is required to deal with it effectively.

Mr. Roy: Mr. Speaker, I thank you for the opportunity to say a few words because I think we are anxious to see this legislation passed. I want to say without equivocation, if that is the right way to pronounce it—that is a very difficult word for one who has a problem with the second language—that as I was away last week because of other very pressing duties, I read with interest the deliberations on this legislation.

10 p.m.

I have never been more proud to be a Liberal and a member of this caucus than when I saw this bill sent to committee, under the leadership of my colleague the member for Huron-Bruce (Mr. Elston). He put out the flag and said, "Let us be careful with this legislation. Let us look at it carefully." I think it goes without saying that all of us here are as intent as any one in this Legislature to see to it that if people are a threat on the highway as a result of consuming alcohol, we want to see that threat removed.

But in the process we want to make very sure our civil liberties and the fundamental principles under which the police operate in this province, and that citizens operate under and reciprocate to the police, are not abridged. I am sure, Mr. Speaker, that you would not wish anything less from the opposition than that we accept that responsibility.

The bill was sent to committee. My colleague and other colleagues who participated in this committee, under the leadership of our critic, made major amendments which have been accepted by the Solicitor General (Mr. McMurtry), who showed a willingness to compromise and to show some flexibility. Our colleagues from the government party who, at times, seemed to be anxious to get on with the process, saw major and important amendments, and the legislation was scrutinized as best we could in the limited time available.

I must say that through co-operation with the chairman of the committee, who showed extreme good sense in keeping the lid on and seeing that the process continued, I think we have a better

bill. We still have some serious concerns about the legislation, but I felt the major deficiency in the legislation was the fact that the police could any time, anywhere, for no reason, stop someone and not give any reason. That person's failure to come to what is called a safe stop could result in a fine of \$2,000 and imprisonment for six months and that was something citizens of Ontario were not prepared to accept. So some changes have been made to that section, and to other sections which have been referred to by my colleague.

The only thing I would ask this evening is to address this comment to the Solicitor General: I read last Saturday with grief—and I understand this is a partisan assembly—that the Liberals, by sending this bill to committee, caused, in his opinion, an unnecessary delay. He made the comment that it may result in the fact that lives were lost.

I want to ask him to show some graciousness this evening and say to the House that maybe he got carried away a little. We understand. We are in the cut and thrust of debate and he has his adversarial experience in the courts. We know that people often get carried away. But I would ask him to tell the House of the responsible contribution the opposition made in this bill, and to reciprocate and advise the House accordingly.

Again today we agreed to a motion to bring on the legislation this evening, even though it is not printed. We unanimously agreed again this evening to see to it that the bill was reported and is going on to third reading and may be proclaimed later this evening. So, Mr. Speaker, if you do not have your chauffeur this evening, be careful.

I say to the Solicitor General, I think we have exhibited responsibility as an opposition. I think our contribution, and the fact that we sent the bill to committee, has been extremely productive. I would wish, as he responds to our comments, that he would comment on the fact that last week I think we were unfairly accused of unnecessarily delaying this legislation. I think we were acting as a responsible opposition.

Mr. Conway: I would like to offer some comments on third reading of the bill. I do not believe that in my previous six and one-half years in this Legislature I have had cause to attend the proceedings of the justice committee. Because of an interest I had in this legislation I decided I would like to participate in some way in this deliberation.

I want to say at the outset it is a great credit to

the member for Oxford (Mr. Treleaven), the new chairman of this justice committee, that he managed the proceedings as well as he did. I want to extend to him my heartiest congratulations.

I have had the opportunity, as have most members, to participate in other committees of this House. This item was controversial in some respects. The personalities involved, some personalities on all sides, had the potential—and dare I say the reputation—of being difficult. I thought the member for Oxford demonstrated a Solomon-like wisdom on many of his decisions.

I also want to echo the comments of my previous two colleagues who have spoken to this matter: I think all of us in this assembly can take some credit for the important work the Legislature did with respect to the committee stage of this matter.

I was distressed to have read last week that, as the member for Ottawa East just said, it was believed by some that it might be an unnecessary, unfortunate and totally uncalled-for act for the opposition to delay passage by referring the bill to the committee. As other speakers have said, that has been proven to be not the case.

When I think of how this all began a week ago today with the nine- or 10-line intervention of the member for Carleton East (Mr. MacQuarrie), the parliamentary assistant to the Solicitor General, I can appreciate some of the difficulty.

It was reported at page 4440 of Hansard for Thursday, December 10, 1981, under the title of "Highway Traffic Amendment Act," that "Mr. MacQuarrie, on behalf of Hon. Mr. McMurtry, moved second reading of Bill 178, An Act to amend the Highway Traffic Act." Quoting the opening statement of the member for Carleton East, he said:

"Mr. Speaker, these amendments to the Highway Traffic Act in effect validate the RIDE program, the reduce impaired driving everywhere program, which has achieved some measure of success in the past. It also provides penalties for people or drivers who leave the scene or fail to stop at the request of police officers. I think the amendments proposed are eminently reasonable and will contribute greatly to the safety of our highways and the users of our highways. I would hope the bill will receive general support."

The honourable member sat down. I think he would agree privately, if not publicly, that upon closer examination there was something more than that by implication if not otherwise. I

congratulate him for bringing a kind of Will Rogers-like perception to the deliberations in the committee tonight.

Mr. T. P. Reid: I think that is an insult, Bob.

Mr. Conway: I do not see it as such at all. With respect to the bill—and I am not ashamed to admit this—I came to it believing that it was really an attempt to validate or legalize the RIDE program and not much else. I was disposed to believe what was in the statement of the parliamentary assistant a week ago. I do have something of a problem, almost a Cartesian kind of problem with these 0.08 and 0.05 levels. I still have that problem now, notwithstanding some very excellent testimony.

I still do not understand, if 0.08 is too high and too liberal a standard for many people, why we ought not to move clearly and unequivocally in the name of a more cautious and conservative, uniform standard, to an entrenchment of the 0.05. We have created something of a grey zone, what is described by some in the press as a nearly drunk, partially drunk, partially impaired category.

10:10 p.m.

I have some problems with that, because I am impressed by the arguments made about the danger to society posed by drunk drivers, nearly drunk drivers or whatever. I am altogether in favour of making it as tough as I possibly can. I make no apologies for my principal interest being at that level a week ago when I spoke to the bill. I went to the committee and found there were other things that were, in their illiberality, far more worrisome and devastating to my general philosophical outlook. I do not think I have to make any apologies for that whatsoever.

I had the distinct impression that the learned and the honourable Solicitor General—

Mr. T. P. Reid: Certainly learned, but the “honourable” is in question.

Mr. Speaker: Order.

Mr. Conway: I had the impression that the honourable and the learned Solicitor General, as he sat in the committee, helpfully and patiently, was having no few revelations visited upon himself. I have to believe that honourable members on all sides, with the possible exception of the law lord from Riverdale (Mr. Renwick), were somewhat impressed by much of the weight of the testimony.

I have some continuing problems of a significant kind about section 1 and the lack of due process for significant fines or penalties flowing from the roadside suspension. These are fines

which in my part of rural Ontario might very well be more significant in dollar terms than many other offences considered more serious under other enactments. I find it very worrisome that there is no appeal to this particular roadside suspension. We did hear testimony that made me believe we could retrofit some kind of due process to the roadside stop.

I said tonight in the committee—and I dare say there are some honourable members who think I was being a little facetious; the parliamentary assistant, the member for Carleton East (Mr. MacQuarrie), thought I was stretching the point—and I want to repeat for the member's benefit and the benefit of others, that one of the significant points in this legislation is the ability of a law officer to stop anyone whom the officer suspects of violating the provisions of the RIDE program, the reduced impaired driving everywhere program.

It concerns me that we in this Legislature are possessed of a tradition to which I made reference earlier this evening. One of the companion changes in regulations that I would like to see is an automatic removal of that provision afforded to members of this Legislature and, I must say, other members of other special categories, that they might have special identifying licence plates. Mr. Speaker, you know what of I speak: MPP 102.

I have to think that by advertising the office, as we do, through that interesting little provision—

Mr. Breithaupt: As who does?

Mr. Conway: All honourable members who volunteer to accept those special licence plates. I just want to say I would have to believe that for those special people, driving about with those special licence plates, we might just place a condition on officers of the police forces of the province anxious to enforce RIDE that maybe, on the streets of the capital region, they had better not stop this car because there they see advertised to their attention, a licence plate which they know is almost certainly going to involve a member of the Legislative Assembly.

I, for one, would feel a lot happier about the even-handed administration of this important RIDE program if I could be assured this very day that the Minister of Transportation and Communications (Mr. Snow) would see to it that all special licence plates advertising special offices in this province were immediately done away with.

Mr. T. P. Reid: Particularly the cabinet ministers.

Mr. Conway: Quite frankly, it is not nearly so significant there, given the fact that chauffeurs are afforded to the honourable ministers of the crown. But in the interests of uniformity, I would like to have that take place.

On the second point, I want to say that I also have problems of a serious kind with section 2(3) of the bill, with respect to the suspension provisions that have been spoken to earlier at the committee stage tonight.

Those two objections I consider to be important and serious as well as significant to me.

I want to conclude by saying that the process was educational, useful and very important, and while I still think in some respects we have a bad bill, we have a much less seriously flawed bill than the one we had a week ago today.

Mr. Breithaupt: Mr. Speaker, I rise to make only a few brief comments with respect to this bill.

I noticed, as this bill was brought forward before the House, that there were a variety of things said concerning the provisions of the bill and how it might be imposed upon the people of the province. I am delighted to see that the comments made, not only by my colleague the member for Renfrew North (Mr. Conway) but also by my colleague the member for Ottawa East (Mr. Roy), have been remembered by the Solicitor General in the approach that he has taken to this bill.

The Solicitor General in this situation has made some changes in this legislation that I think are valid and important, as we see the opportunity for dealing with a much better piece of legislation than we had presented to us initially. I commented at the time this legislation was introduced that we had the situation where there were some 10 days before Christmas and an opportunity to deal with a certain aspect of legislation that really was worthy of a far harder look. We have seen not only the circumstance of a variety of editorial comments across this city, as well as across the province, but also the opportunity for certain amendments being made so that this legislation is better than it was when brought into the House initially.

I am really quite pleased that the Solicitor General has made a number of changes in the legislation and has acknowledged that this kind of approach should be worthy of further review in the new year. I believe the law as it is now going to be in place should be supported, and I suggest that the comments made, not only in committee but also in the House this evening,

will bring better legislation before the House, with the hope that a serious review as to the practical circumstance of this kind of relationship for the less-than-impaired driver will be an important thing that we will look at in the new year.

I congratulate the Solicitor General on making this kind of relationship that will allow for change in the legislation, and I hope that in the new year we will have the opportunity of bringing forward a better bill and a better pattern of legislation within the province.

Mr. Breaugh: Mr. Speaker, I want to speak briefly to this bill. We will support the bill, but I think it is important that we note that, as in the deliberations of the select committee on highway safety from which stemmed the original proposition for this kind of legislation, the bill itself is not a panacea to solve a great many problems. It is one of many techniques that were recommended and studied by the select committee to try to get at the very difficult problem of people who drink too much and then drive. That select committee studied a great many techniques that have been tried in a number of jurisdictions to get at the problem.

I think it would be wrong for the members here tonight to accept this legislation as solving the problem. It does not. The bill itself causes me some difficulty because it does create something, which is one of those funny little demarcation points between a free society where people can move about without any difficulty at all and a different kind of society where police officers have much more control than we are used to giving them. So there is that difficulty; there is that problem.

10:20 p.m.

To be very specific about it, the difficulty I have with this legislation is that it is here in isolation, and it is here much later than the select committee would have liked it to have been presented to the House.

It is true that the opportunity was there, for a brief period of time, for a committee of the Legislature to seek some improvements. It is true that we agree with the intent of the legislation, but I think, as other speakers before me have said, it is also true that we would like to follow this legislation perhaps a little more closely than we normally do. We would subsequently like to see a report by the minister before a committee of the House, very carefully detailing whether there has been any substantial

change in patterns of highway fatalities or alcohol-related accidents.

I want to point out that even in the early days of the select committee, when we dealt with this legislation and all these proposals, the one thing that was bandied about a great deal was that in the collection of data that would generate legislation of this nature, there was a very funny little flaw in this system: there was not really a very scientific way of measuring what was meant by alcohol-related accidents. In many cases, in fact, it came down to the fact that a police officer on the scene of an investigation checked off a little box; it was that crude a technique that was in use.

It will be interesting to follow this legislation to see whether it really does substantially alter patterns of driving habits, whether it substantially reduces the number of fatalities on the roads. I want to say to the Solicitor General that he has raised expectations considerably and he had better produce on this bill.

In closing, I want to add a small voice to some objections that have been raised previously about comments the minister made outside the House.

I think it is time for the minister to swallow his pride a little and say in his closing remarks that he did run off at the mouth just a bit. He should have as much class as the former member for High Park-Swansea who, when he made an error in judgement, with a little bit of pressure did manage to come back into this assembly and withdraw his remarks and apologize.

I think if Ed Ziemba can do that, the Solicitor General can summon up enough guts to do exactly the same thing. I invite the minister, when he puts his closing remarks to this debate this evening, to do exactly that.

I also invite him to make a commitment to provide to the Legislature, as I understand he has done in committee, an opportunity to review precisely how urgent this legislation was, and precisely how effective this legislation was, in less than a year's time.

Mr. T. P. Reid: Mr. Speaker, I rise with some—

Mr. Robinson: Humility.

Mr. T. P. Reid: I am sorry, Mr. Speaker; somebody said "humility." It is a word the member for St. Andrew-St. Patrick (Mr. Grossman) does not have as part of his vocabulary and no doubt will send him scurrying out to look it up in the dictionary.

If I may dispose of the NDP members' contribution to this bill, which was nil, they were sucked in once again by the Pied Piper from Riverdale, who was off on one of his erratic tangents, and they fell over themselves, snuggling up to the Solicitor General and saying, "This is the greatest thing since sliced bread." But I want to tell you, Mr. Speaker, it is not just because they have been bought by the government by being paid for the 30 members—

Mr. Breithaupt: Thirty pieces of silver.

Mr. T. P. Reid: Thirty pieces of silver.

Mr. Breagh: Mr. Speaker, on a point of privilege: I do not mind, at this late hour of the evening a little bit of slime and a little bit of sleaze, but I do think the honourable member ought to withdraw that degree of slime and sleaze.

Mr. T. P. Reid: That is not even worth ruling on, Mr. Speaker.

Mr. Breagh: I think I heard the member for Rainy River say that the NDP had been bought. Even at this late hour and under these conditions, I say that is a bit beyond the pale even for that member. I would like the remark withdrawn, and I would appreciate your ruling on the matter, Mr. Speaker.

Mr. Speaker: In the spirit of the season and the generous nature of the member for Rainy River, I cannot conceive that he would not withdraw that remark.

Mr. T. P. Reid: Mr. Speaker, only because I was so nasty to you; otherwise, I would not.

Mr. Speaker: Thank you.

Mr. T. P. Reid: I will tell you what I meant.

Mr. Speaker: Never mind.

Mr. T. P. Reid: I will withdraw it, Mr. Speaker.

Mr. Speaker: Thank you.

Mr. Stokes: Why don't you sit down when the Speaker is on his feet? You have been around here long enough to know that.

Mr. T. P. Reid: Jack, you are getting to be an awful bore around here.

Mr. Speaker, I want to tell you one thing about the NDP: They are at least consistent, if nothing else.

Mr. Breagh: On a point of order, Mr. Speaker: I will concede that the member can tell us a whole lot about the Liberal Party and the Liberal-Labour Party, but he knows boo all about the NDP.

Mr. T. P. Reid: There is nothing to know.

Mr. Speaker: Shall we get back to the bill?

Mr. T. P. Reid: All I want to say is that it is passing strange that this particular member who is—I will not say it, in the spirit of Christmas—

Mr. Stokes: You got plenty of that tonight, I can tell you.

Mr. T. P. Reid: Jack, Jack.

Mr. Speaker: Will the member for Rainy River please ignore the interjections?

Mr. T. P. Reid: I want to say simply that the NDP has been consistent on the bill dealing with civil liberties in Ontario.

Interjections.

Mr. Speaker: Let the member for Rainy River proceed.

Mr. Martel: No. That has nothing to do with the bill.

Mr. Speaker: I think he already made that point, but he was talking about civil liberties.

Mr. T. P. Reid: You will recall, Mr. Speaker, in the debate on the principle of the bill, the member for Riverdale stood in his place, representing the party that claims to be the great defender of civil liberties, amongst other things. As the justice critic of that party, he said they were supporting the principles of the bill.

Interjections.

Mr. Speaker: Order.

Mr. Breagh: Mr. Speaker, I want to raise one final point of order before we close this evening. The member for Riverdale has been quoted extensively by the member for Rainy River. I just wish that honourable member had the guts

to wait until the member for Riverdale was here to engage in this debate.

Mr. Speaker: That is hardly a point of order. The member for Rainy River will please continue.

Mr. T. P. Reid: All I wanted to do was to say that the NDP is consistent because, Mr. Speaker, you may or may not recall—

Mr. Martel: You should talk about the War Measures Act and where you were. Let's talk about where you were on the War Measures Act if you want to talk about civil liberties.

Mr. Speaker: Order. Will the member for Sudbury East please contain himself? We are not debating the War Measures Act.

Mr. T. P. Reid: All it takes is an editorial in one of the Toronto papers and the NDP will change its position overnight. It was this party that opposed the principle of the bill brought in by the Solicitor General. Their critic stood up and supported the principle of the bill.

In terms of Bill 99, the Police Act, in 1964, the member for York South (Mr. MacDonald)—

10:30 p.m.

Mr. Speaker: Order. I direct the member's attention to the clock.

Interjections.

Mr. Speaker: Order. Will the member for Rainy River please adjourn the debate?

Mr. T. P. Reid: I am sorry, Mr. Speaker. I will move the adjournment of the debate.

On motion by Mr. T. P. Reid, the debate was adjourned.

The House adjourned at 10:30 p.m.

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No. 136

Legislature of Ontario Debates

Official Report (Hansard)



First Session, Thirty-Second Parliament
Friday, December 18, 1981

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

Friday, December 18, 1981

The House met at 10:03 a.m.

Prayers.

POLYCHLORINATED BIPHENYLS IN LEGISLATIVE BUILDING

Mr. Smith: On a point of privilege, Mr. Speaker: As you know, apart from this being my last day in the Legislature as leader, it may turn out to be my last day in the Legislature in any sense depending on circumstances that may or may not develop in the near future. I am sad to leave, but I do want to say I am perhaps a little less sad in the light of some facts which have come to my attention. I think they impinge on the privileges of every member of the House and are of considerable importance to all members.

There is a genuine health concern and a genuine concern about the building itself which I think you should know about, sir. There are three electrical transformers in this building filled with polychlorinated biphenyls. There is a large transformer in the sub-basement under the corridor between the main building and the north wing which has in it 2,638 litres of PCBs. There are two smaller transformers filled with 428 litres each of PCBs and these are located at the far east and west ends of the basement of the building.

My research staff has been shown two of the three transformers, the large one and the one at the east end of the basement. Both of these are visibly leaking PCBs. My concerns about a potential health effect are well-founded, for if there were to be a fire in the building affecting the transformers, or even a relatively small fire just in the transformers themselves, this building might actually have to be closed forever.

I draw to your attention, sir, a building in Binghamtom, New York. This is a skyscraper that was the centrepiece of downtown development. There was a fire in the transformer almost a year ago, on February 5, 1981. That building is empty; it is padlocked; it is contaminated. Although some of the furniture and so on has been moved to landfill sites, after certain procedures have been carried out, people have to don special equipment to go into that building. The fact is that building is empty and may remain so. In fact the cleanup may cost in the tens of millions of dollars.

The concern I have is that this sort of thing could happen here. It could happen in many buildings all over the province. In Toronto, for example, it could happen in the Whitney Block or the south Frost Building, many of the major hospitals such as Toronto General, Toronto Western, Mount Sinai, and a number of secondary schools. They also have transformers. I do not know if those transformers are leaking the way two are in this building, but I do know there are transformers that contain PCBs in this building as well.

The Binghamtom lesson to us is a very real one, and I simply want to draw your attention to the fact that this is a serious concern. I urge that action has to be taken to remove the PCBs from the transformers in this building and other important buildings, particularly in view of the fact that leakage is occurring.

The Acting Speaker (Mr. Cousens): I thank the honourable member and I will refer this whole matter to the Speaker upon his return later today. I know it will be dealt with quickly.

COLUMN IN TORONTO SUN

Mr. Cassidy: On a matter of privilege, Mr. Speaker: I was absent from the House yesterday and, therefore, I did not have a chance to comment on this matter at that time. The matter I wish to raise is related to the article that was published in the Toronto Sun yesterday by its political columnist Claire Hoy. On Sunday of this week I was out at the Polish consulate, and subsequently the Polish credit union. On Wednesday of this week, I was on the steps of the City Hall in Toronto at a rally that was jointly sponsored by the Canadian Labour Congress and by the Canadian Polish Congress in support of the workers of Poland and Solidarity.

It is something this House felt very strongly about and had a debate about on Monday. I would say the tone and content of Mr. Hoy's article is not only an attack on me, it is also an article that is full of distortion, innuendo and untruths and I believe it affects the privileges of all members of this House. I would ask if I could just say a word or two about this. It is my last day as leader, and over the course of the last four years I have kept my cool, as is my duty. I bit my lip at times at criticism.

It is something that goes with the job of being the leader of any party, as the Premier (Mr. Davis) and the Leader of the Opposition (Mr. Smith) happen to know. But when I, and my own integrity—which I believe I have maintained over the course of this four years—are impugned, and when the New Democratic Party and the Federation of Labour and even the Roman Catholic church are slandered, I believe that sometime, somewhere, somehow, a person should get up and speak. I believe the history of societies, not just of Canada's society, shows that when no people get up and speak against this kind of thing in the end everyone's liberties and everyone's freedoms are diminished.

This was the most vicious attack that has been made on the New Democratic Party or on any party in this Legislature in the four years since I became leader of the New Democratic Party. I am wearing a button that says "Solidarnosc" and underneath that "Canadian Labour Congress/-Congrès du travail du Canada". It is the button that was prepared by the Canadian Labour Congress in conjunction with its support for the Canadian Polish Congress rally on Wednesday.

10:10 a.m.

Mr. Hoy's article quotes his colleague, Barbara Amiel, who in turn was quoting one of, I believe, three delegates who opposed their resolution in support of Solidarnosc in the debate at the Ontario Federation of Labour. Those three delegates were all people who have identified themselves with the Communist Party. Val Bjarnason, one of the speakers, who is secretary general of the United Electrical Workers, has also been a candidate for the Communist Party.

I believe the person who is being quoted in the article and was trying to defend the indefensible in terms of the actions of the authorities in Poland was a Mr. Lee, who was also connected with Mr. Bjarnason's union and also connected, therefore, with the union which has leaned very heavily towards the Communist Party.

The fact is we have a democratic trade union movement that does not speak with just one voice and—

Hon. Mr. Grossman: Why do you criticize me for saying that? Do you remember that day?

The Acting Speaker (Mr. Cousens): Order. The honourable member has the floor.

Mr. Cassidy: —that permits dissent. Over in the Soviet Union or in Poland or places like that they outlaw parties which are democratic parties, which are not Communist Parties. If

anybody in this Legislature or in the press of this province were to suggest that Ontario or Canada should outlaw the Communist Party, we would simply be putting ourselves into that kind of camp, and that I simply could not accept.

The vote at the Federation of Labour in support of Solidarnosc was overwhelmingly in favour. At that rally at city hall square, the Federation of Labour was represented not only by Dennis McDermott who spoke and was quoted but also by Cliff Pilkey, the president, who was on the platform, by Terry Meagher who was the secretary treasurer, by Wally Majesky, of Polish descent himself, who was the president of the Labour Council of Metro Toronto and by other labour leaders.

The federal New Democratic Party leader, Ed Broadbent, was there to speak at the rally at city hall square. To suggest anything other than our condemnation of the Polish Communist Party and the repression of the trade unionists is simply untrue.

In another part of the article Mr. Hoy said, and I quote: "During his speech," my speech, "he actually had the gall to argue it's not really the Polish Communist Party at fault for this oppression." That is not only a distortion, it is untrue. I will read what I stated during the course of that debate.

I read, which Mr. Hoy failed to report, the resolution that had been passed by the provincial council of the Ontario New Democratic Party at our meeting on Sunday, when we said, and I quote: "The provincial council of the Ontario New Democratic Party condemns, in the most severe terms possible, the harsh suppression by the Polish Communist Party against the Polish people and their free trade union federation, Solidarity. We in the Ontario New Democratic Party wish to convey our strong support to the efforts of the working people of Poland in their struggle for political and economic democracy."

I said as well, in that debate, and I quote: "Freedom is a mighty word, a mighty and powerful concept, and that is what has happened in Poland over the course of the last 16 months. Not all the Soviet tanks and missiles, not all the powers of a dictatorial Communist system, nor all the abuses of socialism that have taken place in that country and the eastern bloc were enough to repress that thin, small voice which has been getting louder, clearer and more powerful day after day and month after month in Poland." That too was not reported in the distorted account of Mr. Hoy.

Mr. Hoy says, and I quote, that leftist, totalitarian systems are the inescapable result of Cassidy's philosophy. Not true. Witness West Germany which has a social democratic government. Not true. Witness England, which has had a labour party in power off and on for the last 30 or 40 years. Not true. Look at the fight of the socialists who restored democracy in Greece. Not true. Look at Saskatchewan. Not true. Look at Manitoba and the recent election. Not true. Look at the way the social democrats have been in power for many years in Sweden and they are democratic. Not true.

Mr. Hoy says we have the same mentality as the Soviets. He should know, as I think all members of this House know, that the New Democratic Party has been first and foremost in the defence of human rights in our country, as social democrats have around the world for many years. In fact, it was our party which alone stood to oppose the War Measures Act and the withdrawal of human rights in this country some years ago.

The Acting Speaker: The honourable member has made his point. I think the House understands what has been said. And the point of order has been very clear.

Mr. Cassidy: I want to conclude briefly, Mr. Speaker. I am a journalist by profession. I was a journalist for a number of years before I came into this House. As a journalist I cannot defend that kind of innuendo, that kind of distortion, and that kind of untruth. I find it very difficult to defend, when a journalist in this country uses the same tactics that have been used by the Polish authorities in their attacks on Solidarity over the course of the last 16 months.

That kind of thing brings this House into disrepute. I have no means, nor would I wish, to censure Mr. Hoy. It is a free society. However, I believe that his fellow journalists have a responsibility to speak up, as I am now speaking up. The press gallery members, or the journalists' association, or some other group, should look into whether it would not be proper to censure Mr. Hoy for bringing their profession into disrepute, and I wanted to put those comments on the record.

STATEMENTS BY THE MINISTRY

REPORT OF FARM ACTION COMMITTEE

Hon. Mr. Henderson: Mr. Speaker, first, a

brown envelope for the leader of the New Democrats, and, second, this morning, the leader of the Liberal Party.

Hon. Mr. Davis: There is an old saying, the first shall be last and the last shall be first.

Hon. Mr. Henderson: Things do turn around.

Hon. Mr. Davis: That is a biblical saying.

Hon. Mr. Henderson: Mr. Speaker, today it is my pleasure to table the report of the farm action committee. As members are aware, the Ontario Federation of Agriculture submitted a report last month on farm credit and financing. Following the presentation of this report to the provincial government, our Premier established an action committee to review the OFA's proposals. The report I am tabling contains some excellent recommendations. We are studying these proposals and I expect to be able to announce the government's plan of action before Christmas.

I should like to point out to members that this government has already made major commitments in the agricultural sector during this difficult period. In all we have committed nearly \$60 million to the hardest hit group—namely, the beef sector. We would certainly like to see some positive action on the part of the federal government. By comparison with what we have done, it has done very little, and the recent budget only made matters worse.

I would like to refer this House to the remarks made by the provincial Treasurer (Mr. F. S. Miller), my colleague, in his opening remarks to the finance ministers' conference last Monday. He pointed out that the small business development bond program—

Interjections.

Hon. Mr. Henderson: Just listen. The truth hurts, and the members on the opposite side do not like the truth.

Interjections.

The Acting Speaker (Mr. Cousens): The minister has the floor. Order.

Hon. Mr. Henderson: I repeat, he pointed out that the small business development bond program has been seriously weakened, to the point that it can do little to assist the small businesses and farmers of this country. In addition, the underfinancing of the Farm Credit Corporation is little short of a national scandal.

I would add to his remarks by noting that if we had an adequate farm stabilization program for national commodities, many of our producers

would not be in such desperate trouble. I should like to take a moment here to deal with a few items in the action committee's report.

The committee has recommended financial assistance for farmers who have been hard hit by high interest rates and high rates of inflation. They have made it clear they believe assistance should be given to those with a reasonably good management record and outlook for the future.

10:20 a.m.

They recommend that applicants be screened by local committees composed of the bank manager and farm accountant and an official of the Ministry of Agriculture and Food. These recommendations would be sent to a provincial body for final approval.

The action committee recommends three ways of providing assistance. One is a six-month bridging program. Under this, banks would defer interest for six months and would not compound the interest. This would be useful to a farmer with a cash-flow problem. For example, a farmer might be short of cash right now but would be fine once his livestock or crop is sold.

It would work this way. Suppose a farmer had a loan for \$100,000 outstanding at a 20 per cent floating interest rate. His interest for six months would come to \$10,000. The bank would agree to defer this interest payment for six months without any compounding. The government would guarantee the \$10,000 since the bank would agree not to charge interest on the deferred amount. It would be losing \$1,000. At the end of six months, the farmer would repay the \$10,000 and the bank would absorb the \$1,000 loss in compound interest.

Under the second mechanism, the government would make a grant that would reduce the interest on floating rate bank loans by five percentage points for a period of one year. Interest rates would not be reduced below 12 per cent, however. This mechanism would produce a positive cash flow for the one-year period.

If a producer had a floating rate bank loan of, say, \$200,000 with interest at 20 per cent—

Mr. Smith: That's not what the book said.

Hon. Mr. Henderson: The member does not really care or he would listen. It is easy to see why it is his last day as leader.

The Acting Speaker: Order, the minister has the floor.

Hon. Mr. Henderson:—the local committee might decide that he needed the reduction. If

so, this subsidy would reduce his interest payments from \$40,000 per year to \$30,000 per year. This would immediately increase his cash flow by \$10,000 for the year.

If the prime rates and the effective rates to farmers fell to say 15 per cent, the subsidy would be three per cent. The increase in cash flow in this example would be \$6,000.

The third option is a provincial guarantee of a line of operating credit. This would be used by a producer who needed new credit to put in his crop, or buy livestock, or to cover some other operating expense.

The example I could give here would be a producer with 200 sows in a farrow-to-finish operation. If he needed, say, \$300,000 in a new line of operating credit the bank would issue the line of credit at the prime rate and the government would guarantee the whole \$300,000. The bank would make no profit on this new line of credit as it would be offered at the prime rate. This kind of program would be offered to keep a good working farm in production.

Mr. Smith: Are you going to do it?

Hon. Mr. Henderson: As I said, we are giving this report very careful consideration—

Mr. Nixon: Oh, that is what we are getting. That is a nice Christmas present.

Mr. Smith: Careful consideration. Are you going to give it consideration?

The Acting Speaker: Order. Carry on.

Hon. Mr. Henderson: Mr. Speaker, again, it is easy to understand why the Leader of the Opposition is here for the last day as leader. I hope to make an announcement before Christmas.

Mr. Bradley: Now?

Hon. Mr. Henderson: Yes, before Christmas.

ASSISTANCE TO FARMERS

Mr. Riddell: Mr. Speaker, I firmly believe our privileges have been breached in this House. From time to time both the Treasurer and the Minister of Agriculture and Food have indicated to this House that prior to the close of this session an announcement would be made committing assistance to the farmers. All we have now is a report from the action committee of the Ontario Federation of Agriculture, which we can read ourselves, with absolutely no commitment to those farmers who were hoping to have a good Christmas by learning of some kind of assistance in order to keep their farms operating. They have not received it.

We will not have an opportunity to debate in this House any kind of program for the farmers because the minister has just indicated he might bring something in before Christmas. We are not going to have a chance to have any input into that whatsoever. Our privileges have certainly been breached because we are the party that has been insisting that emergency help be given to those farmers and as yet they have not received it. And further—

The Acting Speaker (Mr. Cousens): The honourable member has made his point. There are still more statements, there is question period, and there will be other opportunities to rebut this.

Mr. Riddell: I have one more point of privilege, Mr. Speaker.

The Acting Speaker: Another point of privilege?

Mr. Riddell: Yes. I believe the minister inadvertently misled this House when he said, and I quote from the Toronto Sun, "If we had that amount of money to spend from the government of Canada we could certainly equal any payments to our farmers that the farmers of Quebec got."

In other words, yesterday he stood in the House and said Quebec received a \$1.8 billion equalization payment—

The Acting Speaker: The honourable member's point of privilege has been made. He is making a suggestion. There are more statements and I see no point of privilege at this time.

Mr. Riddell: You are not going to let me finish that point of privilege?

The Acting Speaker: No.

Mr. Riddell: He inadvertently misled the House. What he failed to say was that—

The Acting Speaker: I have the floor. The honourable member will take his seat.

Mr. Riddell: What he failed to say was that Ontario was eligible for \$1.4 billion—

The Acting Speaker: The honourable member does not have a point of privilege—

Mr. Riddell: —for 1981 and 1982, and we didn't take it because we are too proud to admit we need it—

The Acting Speaker: —and he will resume his seat.

Hon. F. S. Miller: I want to add my assurance to the agriculture minister's that this government is committed to a support program for our farmers before Christmas.

Given the difficult times our farmers are facing, the government will make available an extra \$60 million in additional funding for this purpose.

Mr. McKessock: Mr. Speaker, a point of clarification:

The Acting Speaker: There is no such thing as a point of clarification.

Mr. McKessock: Okay, a point of privilege. Was that \$60 million or \$600 million?

Hon. F. S. Miller: This program will bring genuine help as efficiently as possible to those who need it. For that reason we want to be sure the mechanisms suggested by the committee will work and that the decision process will function smoothly and efficiently. The banks have been consulted several times in the last few weeks. They are being very co-operative and are willing to give full backing to this assistance program brought forth by this government.

We have the main outline of a program now and are proceeding very quickly to deal with the operational details. We will be in constant contact with the banks during the next few days to settle the final details of our program. I would like to remind members that this brings to \$120 million this government's commitment to producers since July 1 to assist them during these most difficult times.

I repeat, the government will make available \$60 million in additional funding for this purpose.

10:30 a.m.

ADVANCED MANUFACTURING TECHNOLOGY FACILITIES

Hon. Mr. Grossman: Mr. Speaker, today the government is ready to make announcements regarding the establishment, location and mandate of new facilities for advanced manufacturing technology. Members of the Legislature will recall in the economic development strategy of the Board of Industrial Leadership and Development that we proposed to establish a facility for computer-aided design, computer-aided manufacturing and robotics technologies.

Since that time we have held extensive consultations with the private sector, members of our own task force on microelectronics, leading experts from the academic community and a number of municipalities. These consultations indicated that to be successful our programs should take advantage of existing expertise. The best way to accomplish this objective is to locate the functions of our high-technology

centres near that expertise. As a result, BILD has decided to create two distinct divisions of the advanced manufacturing technology facility.

The first will specialize in robotics and will be located in the great city of Peterborough. In the final analysis, Peterborough was selected as the best site for this facility because both the municipality and local industry in the area demonstrated extensive pragmatic assistance for the establishment and continuing program support for this new robotics facility. I am pleased to report that Canadian General Electric, which has established expertise in robotics at its Peterborough plant, is prepared to undertake a short-term startup contract. I believe the expertise of this firm will ensure the centre begins activity immediately and will assist us in securing appropriate staff.

The second facility for advanced manufacturing technologies will specialize in general promotion, application and development of computer-aided design and computer-aided manufacturing technologies, referred to as CAD/CAM. Following extensive consultation with industry, universities and several municipalities, the government has selected the great city of Cambridge as the site for this centre. These two great municipalities are well represented in this assembly, I might add.

Cambridge was selected because it is centrally located to client industries and has easy access to the available expertise at the Universities of Waterloo, McMaster and Toronto, as well as community colleges such as Conestoga, Mohawk and Durham. In addition, both the municipality and local industry in the Cambridge area demonstrated their willingness to provide assistance and support for the establishment of this new centre.

I am also pleased to report that several industrial organizations have already offered startup assistance on a contract basis to enable us to acquire the best available staff and technical expertise. We hope to complete those negotiations shortly so that the centre will be able to begin its activities early in the new year.

The mandate of these advanced manufacturing technology centres will be: To assist Ontario industry to adopt new technologies such as computer-aided design and computer-aided manufacturing (prime responsibility, Cambridge); to assist Ontario industry to adopt robotics (prime responsibility, Peterborough); to provide demonstrations of advanced manufacturing systems to industry through orientation

seminars for management and technical workshops for engineers and technicians (prime responsibility, Cambridge; robotics responsibility, Peterborough); to conduct surveys of industrial plants to help identify potential applications and the provision of technical assistance on request (prime responsibility, Cambridge; robotics responsibility, Peterborough); to undertake fee-for-service development projects in areas where no commercial capabilities exist (CAD/CAM responsibility, Cambridge; robotics responsibility, Peterborough); to encourage Canadian manufacturers to produce the required hardware and software, wherever feasible (CAD/CAM responsibility, Cambridge; robotics responsibility, Peterborough); and to stimulate the introduction of new operational and product technologies (prime responsibility, Cambridge).

In addition, to promote both the use of advanced technologies, as well as the products and services of Canadian high-technology companies, the Cambridge and Peterborough centres will both operate outreach programs.

As part of these programs, a mobile demonstration unit equipped with the latest technology will conduct onsite demonstrations. Indeed, our objective is to promote and encourage the adoption of leading edge innovative manufacturing technologies for small and medium-size firms throughout the province. We believe both of these centres and their outreach programs will be critically important to the future viability of Ontario manufacturers.

These new technologies can improve significantly our ability to compete internationally and domestically by enhancing product quality, reliability and the cost effectiveness of our manufacturers. Indeed, if we fail to take advantage of the improvements in efficiency that these new technologies now permit, our manufacturers could become noncompetitive in world markets.

Extensive studies that my ministry has undertaken in conjunction with the Ontario Research Foundation indicate that Canada lags in the introduction of computer-aided design/computer-aided manufacturing and robotics. We are determined to close this technology gap in Ontario.

The majority of the existing high-technology machinery and equipment is currently being imported. This is of concern because both the domestic and international demand for these products is expected to grow rapidly over the next decade. Therefore, one of the major

activities of these new centres will be to stimulate the production of these sophisticated products here in Canada.

These centres have been designed to assist and complement the private sector. As is the case for the microelectronics technology centre, any patents that may be obtained by these centres will be offered to Ontario manufacturers for commercial development.

Moreover, we expect that the promotional and training activities of each of these centres will create a substantial market for the services of research organizations, private firms and consulting engineers.

The two centres for advanced manufacturing technology will report to the Ministry of Industry and Tourism. They will have combined funding estimated at \$40 million over the next five years. These centres will have a combined initial allocation of \$500,000 for the startup phase to March 31, 1982. We anticipate that by the fifth year, half of the operating costs of both centres will be recovered from fees for services provided to the private sector.

Following legislation on these centres which we intend to introduce early in the next session, we expect to recruit an executive director for each centre in the new year. The executive directors and senior core staff will be recruited from the most qualified professionals available anywhere.

The centres' staff—most of whom will be drawn from our community colleges—will receive practical training in advanced manufacturing technologies and will be encouraged to transfer to industry to assist in the implementation of new technology within the private sector.

The high quality of submissions from several municipalities made the decision of the locations for these centres extremely difficult, but we are convinced that the choice of Peterborough and Cambridge as the sites for these centres is prudent from the point of view of Ontario industry as well as for the long-term viability of the centres themselves.

With the new microelectronics centre in Ottawa, combined with the Cambridge and Peterborough centres for advanced manufacturing technology, our government, through BILD, has now committed close to \$70 million to establish high-technology centres. In addition, we expect to have further BILD high-technology announcements in the new year.

I believe that with these measures we are taking significant steps towards initiating a new era of technological advance for Ontario manu-

facturers, and are positioning our industries with the help of this government to reap the full benefits of high-technology innovation and the industrial applications.

TAX GRANTS FOR SENIORS

Hon. Mr. Ashe: Mr. Speaker, my last formal report to this Legislature on the 1981 property and sales tax grant program for seniors was on October 29. Recently, I have provided a comprehensive update to the honourable members in the form of a letter. At that time I detailed the progress of the program and also made the commitment that my ministry would continue to make every effort to get as many property tax grant cheques as possible to Ontario seniors by Christmas.

I would now like to report on our recent progress towards achieving that goal.

10:40 a.m.

By December 16, 526,894 applications for the second instalment of the 1981 property tax grant had been received by the ministry. Of this number, 484,831—or 92 per cent—have been processed and cheques generated. Included in this total are 45,701 cheques produced in the last two weeks alone. Of these, more than 30,000 have been mailed in time for postal delivery by Christmas.

However, we judged that the remaining 14,555 cheques produced earlier this week stood a good chance of not clearing through the postal system in time. Consequently, to make sure that senior citizens receive these cheques before Christmas, we have made special arrangements for their delivery through our network of regional assessment offices.

In Metropolitan Toronto and other major urban centres, this will mean hand delivery of the cheques by our ministry assessment staff directly to seniors' doors, while in other areas the cheques will be delivered by the local post offices for distribution by letter carriers or through postal boxes.

This hand delivery method has proved to be a most efficient distribution system for my ministry during periods of postal disruption, and I am personally very pleased with the willingness of my staff to perform this task at this time. This special customer service measure will ensure that as many seniors as possible will receive their cheque in time for the holiday season.

Furthermore, I would point out that this last mail-out and special delivery effort leaves the ministry with a balance of 48,439 applications. Of this number, we expect about 17,000 to be

processed for payment before year end. At that point, therefore, we will have successfully serviced 95 per cent of applications received, which in turn will leave about 31,000 applications to be processed.

This final total comprises two groups. The first are people who have only recently filed their applications. For example, we are still receiving over 1,000 new applications each week. Second, there is a group of applications involving a wide variety of problems such as ineligibility and insufficient information.

Inevitably, these will require a great deal of individual attention. My staff are working diligently to contact these applicants to acquire the correct information to determine eligibility. However, our experience in this and other programs tells us that it could take some time to contact and clear the residual of difficult cases.

Finally, we estimate there are 40,000 people who became 65 between July 1 and the end of the year, and who are not due for payment until 1982. I am pleased to report that these people will be receiving their applications on target very early in the new year.

I have been very straightforward with this Legislature in the acknowledgement of several technical problems associated with the 1981 Ontario tax grants for seniors program. I have already recognized the work of members' constituency offices in dealing with inquiries. However, as this report today clearly indicates, the ministry has moved quickly to resolve these difficulties to the extent that 95 per cent of all applications received by the Ministry of Revenue will be fully processed by Christmas. Given the complexity and scale of a program of this magnitude, I am pleased with the considerable progress my ministry has achieved.

MUNICIPAL ASSESSMENTS

Hon. Mr. Ashe: Mr. Speaker, I have a second statement. The member for London Centre (Mr. Peterson) directed a question to me in the House on December 14 concerning the assessment of certain properties in the city of Toronto. The honourable member raised five examples in support of his assertion that, and I quote, "Assessors are not making a conscientious reinspection of these various properties." He went on to say, and again I quote, "I understand they are inspecting them from a slowly cruising vehicle, presumably with a chauffeur at the wheel."

Before I provide specific information to the honourable member on those subject proper-

ties, I would like to highlight the procedures which every assessor follows during reinspections.

Prior to commencing a reinspection of a property, the assessor reviews the records of the property to familiarize himself with all pertinent data, including the issuance of building permits. The assessor visits the property to contact the resident for the purpose of gaining access to the property. If the resident is not at home, the assessor will leave a notice indicating that he was there and requesting the resident contact him to arrange a mutually convenient time for a return visit. At the same time, the assessor will complete a visual inspection of the exterior of the property, noting any improvements.

If the resident does not subsequently contact him, the assessor will attempt to personally visit the property again for the purpose of completing an interior inspection. If the resident is not at home for that second inspection, the assessor will again leave a notice of his visit, verify the data collected on the last visit and, to the best of his ability, assign a value to the property.

I would now like to set the record straight by reviewing the properties in the order in which the member for London Centre presented them.

First, 411 Dupont Street: The member states that the assessor did not enter the property. The facts are that the assessor visited the property on October 3, 1980, and no one was home. The assessor left a notice at the property advising the owner to contact him to arrange an appointment for an inspection. The owner called the assessor October 6, 1980, and advised that unless he had a proper letter of authority the assessor could not inspect his property.

The assessor attempted to deliver a letter of authority and do the inspection simultaneously on October 8, 1980. The owner advised the assessor to deliver the letter to his home and he would advise him further about doing the inspection. The letter was delivered that same day. The owner did not contact the assessor until he had received his assessment notice mailed this fall.

123 Cothingham Street: The assessor visited the property on February 29, 1980, and again on August 4, 1980, and found no one at home. He revisited the property in the evening and spoke with the owner's daughter, leaving a notice with his name, address and telephone number, advising her to have her father contact him for an appointment to conduct an interior inspection of the property. The owner did not contact the

assessor until he received his assessment notice mailed this fall.

273 Brunswick Avenue: This is a situation similar to the one I have just mentioned. The property was visited on June 8, 1981, and again on August 26, 1981. Since no one was home, the assessor left a notice requesting the owner to contact him for an appointment to inspect the interior of the property. Once again, the owner did not contact the assessor until he received an assessment notice this fall.

405 Dupont Street: The assessor visited the property on May 1, 1980, and no one was home. The second visit was in June, at which time the owner refused permission to the assessor to inspect the interior of the property. However, the owner did respond to questions of the assessor at the door. Based on this information, the assessment was made and a notice was mailed in the fall. Upon receipt of the notice, the owner contacted the assessor and an interior inspection of the property was completed on November 26, 1981. An amended notice reflecting a revised assessment was then issued.

804 Euclid Avenue: The assessor conducted an interior and exterior inspection of the property on April 15, 1981. An assessment notice was delivered in the fall. The owner is dissatisfied with his property assessment. He has, of course, the right to lodge a complaint with the regional registrar of the Assessment Review Court, the final date for filing an appeal being January 12, 1982. The owner has been advised of his right to appeal.

In conclusion, I would like to reiterate a point I made yesterday. The assessors, in not only the Toronto regional office but in all 31 regional assessment offices across Ontario, are always available and willing to meet with ratepayers to discuss their assessments. While we have established the open house program for that very purpose, I want to stress that a ratepayer can always meet with the assessor at the regional office during regular business hours any time throughout the year.

Mr. Peterson: On a point of privilege, Mr. Speaker: It is obvious the facts that the honourable minister has gleaned in some of these particular instances are different from the facts that we have been able to ascertain. I am not impugning the minister's credibility; I am saying he has different information sources than we have.

The Acting Speaker (Mr. Cousens): I do not see this as a question of privilege at this point.

Mr. Peterson: It is, because the minister is presenting a set of facts to this House —

The Acting Speaker: That is not a point of privilege.

Mr. Peterson: I think it is.

The Acting Speaker: I've just ruled that it is not.

Mr. Smith: On a point of order, Mr. Speaker: Could you give us some guidance in this regard? If a minister stands up in ministerial statements and speaks for five or 10 minutes or longer about statements made by a member, apparently to dispute statements that have been made by a member, the minister certainly has the right to do that.

The question I have on the matter of the point of order is, could you advise us as to what circumstances a member on this side of the House can then stand up to defend his reputation after such a series of ministerial suggestions? If he cannot do it at the time on a point of privilege, when would it be germane to debate in this House, for the member to stand up and do what he believes would be defending his reputation in this matter?

10:50 a.m.

The Acting Speaker: I thank the member for Hamilton West. Question period will follow. Further, as the question of privilege was raised, the minister has dealt with an issue and there will be plenty of opportunity to follow it up.

Mr. Peterson: Because of the difference in the facts, Mr. Speaker, as there is obviously in this circumstance, I think you have the obligation, sir, to hear me out, as does the minister so that he can make a response or so you can make a determination. This is my question of my privilege. We are not disputing the subject.

The Acting Speaker: Make your point quickly.

Mr. Peterson: My point quickly, sir, is this: The facts as I have ascertained them and as our research has ascertained them are different than the ones the honourable minister presented to this House. I am not suggesting for a moment that there could not be error, perhaps on our side, perhaps on their side, but I want to tell you, sir, that subsequent to the publication of this discussion in the House I have had at least 20 telephone calls from ratepayers in the city of Toronto. At least half of them have told me there was absolutely no notice, be it verbal or written or of any other type, before massive increases in assessment were imposed upon them, in the range of 400 to 500 to 600 per cent.

I think the minister should be aware that his information system is not completely accurate or does not conform with the common perception of most taxpayers in this city.

Mr. MacDonald: A related point of order: Mr. Speaker, I am rather intrigued with what is happening today. On two or three occasions the chair has exercised the right and the obligation to exercise its judgement as to when a point of order has been made. Is there not an equal right and obligation on the chair to exercise its judgement when a minister has answered a question and wanders off into irrelevancies? If the chair is going to exercise judgement in chopping down the opposition, is there not an obligation on the chair to exercise its judgement when too lengthy answers are given to something of that nature?

The Acting Speaker: I thank the honourable member. We will continue with statements.

Mr. MacDonald: What is your reply to that, Mr. Speaker?

Hon. Mr. Ashe: They are statements, they are not questions anyway.

Mr. MacDonald: It is an uneven application of the rules; judgement to chop down here and not judgement to chop down there.

The Acting Speaker: The Speaker yesterday spoke very eloquently on this. There is no further comment by the Acting Speaker. The Minister of Consumer and Commercial Relations has two statements.

CO-OPERATIVE HEALTH SERVICES OF ONTARIO

Hon. Mr. Walker: Mr. Speaker, I would like to bring the House up to date on the status of Co-operative Health Services of Ontario, a now defunct company which offered individual and group health care plans to Ontario residents. Members may recall that the superintendent of insurance revoked this company's licence to operate under the Prepaid Hospital and Medical Services Act on February 6, 1981, because it was not financially viable. The Clarkson Company Limited was appointed as liquidator on February 9 to administer the estate and realize the assets of the company and pay as many creditors as possible.

Since February 9, the liquidator has been working efficiently and diligently with my staff to have the matter resolved. I am pleased to announce that the liquidator has recently negotiated a very attractive settlement with the Canadian Imperial Bank of Commerce, thanks

to the member for Scarborough Centre (Mr. Drea) having moved in very quickly to retrieve the assets pledged by the co-op shortly before its licence was revoked.

On October 30, Master Dunn of the Supreme Court of Ontario, approved the settlement in which the bank agreed to pay \$550,000 in cash to the co-op's estate and to withdraw any claim to the assets available to unsecured creditors. It was a phenomenal settlement.

The bank would also have had claim to approximately \$300,000 as an unsecured creditor against the assets of the co-op. By withdrawing its claim it will leave a larger sum of money to be distributed among many small subscribers who still have outstanding claims.

To date, the liquidator has determined that there are 31,716 claimants entitled to compensation, consisting mainly of individuals from groups plans, travel subscribers and pay-direct subscribers.

To date, the liquidator has (1) realized all of the co-op's liquid assets, (2) paid all the outstanding claims made by the employees of the city of Toronto, (3) closed the offices of the co-op and sold the computer by tender and all the furniture and fixtures at auction, and (4) reviewed all claims received by the co-op and sent out proof of claim forms to 31,716 individuals and groups.

More than 70 per cent of the proof of claim letters have already been returned to the liquidator. However, the liquidator anticipates that it will still take some time to process all the new claims which are arriving and which still relate to the liquidation period.

I also want to report that legal action has been commenced against various parties which are indebted to the co-op and the liquidator. If the actions are successful, another substantial amount may be realized for the estate. As a matter of fact, as a result of the bill passed by the Legislature some time ago, it appears to be settling and we expect the matter will result in substantial funds being made available.

At this time a date cannot be given for distribution of the estate, but it is hoped there will be an early resolution.

COMPUTERIZED PROCESSING OF RECORDS

Hon. Mr. Walker: Mr. Speaker, I wish to take this opportunity to bring to the attention of the House an innovation that will take effect in the spring regarding the production of birth, death and marriage certificates.

By mid-1982, all Ontario birth, death and marriage certificates, which are now produced manually by the registrar general's office of my ministry, will be prepared by computer.

Installing a computer, together with a highly automated mailing system, is expected to significantly streamline the operation and reduce overall operating costs over the course of a year by an estimated \$250,000, and at this rate the computer will pay for itself in a few years.

In the majority of cases the introduction of automation will eliminate several costly and time-consuming manual tasks, such as index searching, record retrieval and the manual stuffing and metering of envelopes. Of course, we will retain the ability, in an emergency, to issue certificates manually should our computerized system break down temporarily.

In the last year, the registrar general's office issued 300,000 birth certificates, 30,000 marriage certificates and 33,000 death certificates. Although growth in the number of certificates processed has been stable over the past few years, inflation has and will continue to increase processing costs. I would therefore like to commend the registrar general's office for arriving at a solution that will not only improve the level of service but decrease operating costs at the same time as part of our continuing service.

There is one additional benefit that I would like to mention. Wallet-sized birth and marriage certificates have been redesigned, and the new format will be compatible with the automated process and consistent with the uniform size recommended by the Vital Statistics Council for Canada.

By way of background, in 1978 the Vital Statistics Council, representing operations in Canada, the Yukon and the Northwest Territories and Statistics Canada, agreed that a uniform wallet-sized certificate would be desirable. British Columbia, Alberta, Saskatchewan and Manitoba have already accepted the new format, and we are as well and will be introducing it.

The new birth and marriage certificates also will have a number of improved security features considered by our country's security forces, by the Royal Canadian Mounted Police, to be far superior to the present certificates and virtually impossible to counterfeit.

EMERGENCY PLANS BILL

Hon. Mr. McMurtry: Mr. Speaker, today I am tabling a draft emergency plans bill designed to

provide a comprehensive framework for emergency planning and response by municipalities and the province.

We are tabling the draft bill so that all honourable members can be aware of what is being proposed and to encourage further public input before legislation is introduced during the next session.

An interministerial committee was established in 1980 to prepare draft legislation on the subject of emergency planning and response. Last summer, I released a discussion paper, including the draft legislation, for public comment. Public response was received, particularly from municipalities, and reviewed by the ministries of the Solicitor General and Municipal Affairs and Housing. Amendments were made to the draft legislation as a result of this public comment, and we will be happy to consider further suggestions from any honourable member and any other interested citizens.

Also today, I am tabling the independent study of the Mississauga evacuation by the Institute for Environmental Studies at the University of Toronto. Some honourable members will recall that the government committed itself to an independent study in the aftermath of the Mississauga emergency in November 1979. It was felt that detailed study of that emergency by a group outside government would be helpful to our own emergency planners and those in other jurisdictions.

11 a.m.

The report by the institute has proved to be a very thorough and useful document. It was given wide circulation in draft form to the various ministries involved, to municipal officials in Mississauga and to fire, police and social service agencies.

Many of the institute's recommendations have already been acted upon in the various reviews done by each ministry and agency. I am sure the document will be of continuing use as we upgrade and refine our emergency planning procedures.

CHILDREN'S MENTAL HEALTH SERVICES

Hon. Mr. Drea: Mr. Speaker, there was concern voiced in this House yesterday regarding certain children's mental health services in this province. I wish to address and allay those concerns and misconceptions.

The member for Scarborough West (Mr. R. F. Johnston) charged yesterday that our facility

known as White Oaks Village was being closed and that children were going to be "dumped on the community" as a result.

Yes, White Oaks is being closed. We announced some time ago that it would be closed by March 31, 1982, because it would be simply too costly to renovate it to acceptable standards to meet a need that now can be met elsewhere.

We announced at the same time, and I can only assume the honourable member opposite did not read his copy of the news release, that the emotionally disturbed boys in residence at White Oaks would be accommodated in alternative community programs, including 15 new spaces at CPRI in London.

In so far as the current White Oaks program is concerned, there are 25 boys in residence there. By December 22, when the Christmas break period begins, four of the youths will have completed their programs at White Oaks. The other 21 boys will be going home for the holidays but will be back January 4. Following their return from Christmas break, the boys will stay at White Oaks until their transfer to other treatment centres.

We have no intention of dumping anyone on the community. On the other hand, the member may be concerned because some children will be spending Christmas at home and in their communities. Frankly, I am glad for them.

There were also questions raised in this House yesterday regarding South Shore School in Sudbury. Again, the allegations were wrong. South Shore School does not have 120 children in care, as was suggested; it has 68. Half of those attend school on the property, while the other 34 attend McMillan school in the community.

We are not destroying the South Shore School program. Indeed, a new \$1-million school on the Algoma Sanatorium site is just about completed. It will replace the old school, which required massive renovations. I find it curious that we are criticized for that.

There was also the inaccurate statement that children benefiting from the South Shore School program will be sent south for treatment. That is simply untrue. I want to assure this House that those children will be provided with treatment programs and other services in Sudbury, as they have in the past.

The member yesterday also spoke of another attempt to destroy the Humber Bay clinic, a children's mental health program serving the south Etobicoke and south Peel areas. I wish to assure this House that we will not be destroying Humber Bay but strengthening it.

Two thorough reviews of the operations of the Humber Bay Child and Family Clinic have been carried out recently, and they will help in developing the most appropriate services for the catchment area. While we intend to divest ourselves of that facility, and this was discussed with board members some time ago, we intend to continue to support it financially and otherwise, and we intend to investigate other ways in which we can provide these types of services to the citizens of south Etobicoke and south Peel.

There was a suggestion that with the so-called destruction of Humber Bay, the program would be transferred to our Thistletown centre. As I said, Humber Bay is not closing, and I have no idea where the Thistletown reference came from. Certainly there is no plan to start a Humber Bay program at Thistletown. The Humber Bay program will serve south Etobicoke and Peel and will continue in that area.

Yesterday, the member opposite also most unfairly attacked the province for the programs and services provided for troubled children. He said we seemed to be saying to parents, and I quote: "Look after your own kids. We in this province are not taking any responsibility." That is a most misguided perception.

As the member knows, or certainly should know, there is a total of 81 residential and nonresidential centres throughout Ontario for emotionally disturbed children and youth. The budget this year for that line item alone is almost \$73.5 million. The year before, the figure was approximately \$64 million. In the past five years, the budget for those programs has been increased by 67 per cent. That is most certainly not a reduction in our commitment to these children and their families.

I hope this brief statement has addressed the concerns raised yesterday by the member for Scarborough West. I wish he would find out the facts before leaping to his feet. This is the same member who in June surprised me and everyone else by alleging that children were being placed in jail in northern Ontario because there were no other facilities for hard-to-serve children. He was wrong. He later said he had not meant to say "jail" and said he was "provoked" into doing so. I call that irresponsibility, not provocation.

This is the same member who, on October 19, criticized my ministry for its alleged lack of progress in the area of day care and day-care initiatives. He alleged we were planning a \$750,000 television campaign when that had never been our intention. He said we had

reneged on our commitment to fund 20 day-care spaces for handicapped children in Metro when, in fact, we had agreed to provide 28.

The member accused us at that time, in that regard, of not having paid, to use his term, one red cent to Metro for those handicapped spaces. He was right. We had not paid one red cent. We had paid seven million red cents, or \$70,000, in support of that addition. Again, he was wrong.

Against that backdrop, I hope the honourable member will be more committed to fact and less to histrionics when he next takes the floor.

Mr. R. F. Johnston: On a point of privilege, Mr. Speaker: I could never compete in histrionics with the honourable minister across the way who today is again distorting things I have said and is again giving half the facts. If I do make errors on occasion, and I do not accept all the errors he is alluding to here, I do not try to distort the facts to cover up mismanagement in his ministry as he is doing now.

ORAL QUESTIONS

The Deputy Speaker: The Leader of the Opposition.

[Applause].

Mr. Smith: I thank the members of the House for their kindness in that greeting. I appreciate it very much.

URANIUM CONTRACTS

Mr. Smith: Mr. Speaker, I want to ask my first question of the Minister of Energy. There is a report in the *Hamilton Spectator* of December 17 that says, quoting a Hydro official, "Hydro plans to renegotiate the uranium contracts starting in February." Can the minister confirm whether that is true? Can he tell us whether he has analysed what will be the cost to Ontario of getting out of the contract and what the cost would be of staying in the contract?

Hon. Mr. Welch: Mr. Speaker, I know of no plans to renegotiate the contract.

Mr. Smith: May I draw the minister's attention to this article, which I will be glad to send over to him. It says that a senior Hydro official said the utility plans to renegotiate the contracts in February. While he is looking at that, might the minister consider why the reports are that Denison Mines will be claiming that its costs of production, which we have to pay plus a \$5 profit on top of that, are approximately twice what they were predicted to be when the select committee on this matter met back at the end of 1977 and the beginning of 1978?

A New York firm then predicted a \$22 price of production which would go up with inflation. We are told now that the price of production claimed by Denison is more in the realm of \$50. Can the minister give us an explanation for this, given that it might cost the people of Ontario somewhere between an extra \$500 million and an extra \$1.2 billion because of this discrepancy?

Hon. Mr. Welch: As I understand the question, the honourable member will know that the contracts are very specific with respect to the strict auditing of costs; so whatever claim is being made for costs is subject to audit. I am quite satisfied the auditing procedures will supervise that particular matter. There is no doubt there has been an increase in those costs. I understand about 80 per cent of any increase is related to inflation. Another 20 per cent is related to safety regulations and some changes in design.

11:10 a.m.

Mr. MacDonald: Mr. Speaker, may I ask the minister, since Ontario Hydro now admits that the extra costs it is going to have to pay for uranium will be upwards of \$50 million a year and that the interest-free, up-front loans it has had to provide to the mining companies to expand their facilities to meet these contracts and everything else they produce is now something more than \$600 million rather than \$340 million, why has the government not exercised the contractual right it has under the contract of giving five years' notice to opt out? Admittedly, five years puts it down the road a little time, but why has it not exercised that contractual right?

And, upon quiet reflection, does the minister not think that the government made a mistake when it rejected the Ontario Hydro board's initial proposal in 1973 that the way to handle this situation was to put those mines under public ownership, like the heavy water plants are, as part of the Hydro system?

Hon. Mr. Welch: Mr. Speaker, I think it is very important to recognize that some of these figures being used were not discovered for the first time the day before yesterday. If the honourable member has been following the Ontario Energy Board hearings, Hydro at the OEB hearings last summer indicated something with respect to cost, if that is the right way to put it, in regard to protecting the security of supply for Ontario electrical customers, and related that to what it would be on hydro bills.

I am sure there is no member in this House

more knowledgeable about these contracts than the member who just asked about them, because he went through these contracts very carefully. I think under the circumstances, before he passes judgement, he has to understand the circumstances at the time of the negotiation of the contracts. It is very important. It is not particularly clever to have hindsight some years later; 20-20 vision is always there. One has to call the shots as one sees them at the time. The honourable member then, because of his knowledge of the contracts, will know that the earliest possible cancellation date for Denison is 1993 and the earliest possible date for Rio Algom is 1989.

Mr. Smith: Since the world price for uranium is now less than half of what we are going to be forced to pay for the uranium we have contracted for under this unfortunate contract, and since we cannot get out until 1993, will the minister let the people of Ontario know whether he agrees that the total loss to Ontario might well be over \$1 billion over the life of this contract, because of this discrepancy and because Hydro was overtaken by events and did not realize uranium prices would go down?

Will he agree also that we have lost \$500 million in the Petrosar deal because Hydro did not realize the price of oil would go up; \$460 million in Wesleyville because Hydro did not realize oil was going to go up; about \$411 million at the Bruce heavy water plants because Hydro did not know demand was going to go down?

With Hydro consistently being overtaken by events and thus losing a total of \$3.5 billion because of these mistakes, does he not think the select committee should be reconstituted and given real power to oversee these decisions that Hydro keeps making and that cost the people of Ontario dearly?

Hon. Mr. Welch: I simply repeat what I said to the member for York South. I suppose it is always a comfortable position to be in of making all sorts of pronouncements on the basis of the experience that follows the events. I remind the member that when people are negotiating contracts—

Interjections.

Hon. Mr. Welch: Let us just give an opportunity to understand. When one is charged with the responsibilities of ensuring a continuation of electrical power for the people of this province—and, I remind the member, at rates we should be proud of, compared with those in

other jurisdictions in North America; I do not think we should overlook that particular fact—matters of security of supply are very important.

One has to understand that decisions are being made in the context of the facts available at the time. It would be difficult for me to project what the total cost might be without knowing what the price of uranium might be at any particular time in the future, but I feel quite sure the decision that was taken with respect to these contracts must be hailed every day in places like Elliot Lake, where there are hundreds of people at work, compared with what might be the fate of some people in similar mining in other parts of this country. At least we look after the people of Ontario in many ways with respect to these contracts.

POLYCHLORINATED BIPHENYLS IN LEGISLATIVE BUILDING

Mr. Smith: Mr. Speaker, I had hoped to direct a question on the matter of PCBs to the Minister of the Environment (Mr. Norton) or the Minister of Government Services (Mr. Wiseman). It is my understanding that those two gentlemen are now conferring in the Speaker's office. Since only they would have the information, I wonder if one of them would be good enough to come out.

I will start with the Minister of Labour (Mr. Elgie), because his ministry does have a certain responsibility for occupational health, and there is a poor chap working down there beside the transformers plus a number of other people here.

Here is the Minister of Government Services. I will direct my question to him.

A very real danger exists here at Queen's Park with respect to 3,495 litres of PCBs in the three electrical transformers in this building. There was a minor transformer fire in Toronto, as we recall, in December 1977. Understanding the problems of Binghamton, can the minister tell us what plans he has to get rid of those PCBs in all three transformers, particularly in the those that are leaking, and to replace the PCBs with other coolant materials?

Hon. Mr. Wiseman: Mr. Speaker, since the Leader of the Opposition brought this question up this morning on a point of privilege, I have been meeting with my people as well as people from the Ministry of the Environment. We have just had a chat with them.

There were five drops under one of the transformers, I believe. Under the other one, there was estimated to be approximately 30

drops over a period of approximately five years. This had been there for quite some time. The people from the Ministry of the Environment have told me there is nothing to worry about with such a small amount.

These rooms are completely sealed off from any air intake going to any other part of the building. In fact, when the environmental people came down this morning, they had to get through three different locked areas to get in to where it is. Where they are located, there is enough of a wall or holding area to look after all the oil that is contained in these areas, more than double if there was such a thing as a spill.

They have assured me that we are in no danger. It is not a leak as we know it.

Mr. Roy: Call it a small drip.

Hon. Mr. Wiseman: Well, it is really not a drip if there are five drops and 30 over five years. Every five years our people test the oil there, and it could be a little bit from that.

We are aware of it. All three ministries have been checking it out this morning, and it is under control.

Mr. Smith: The situation is that although the doors are locked, they are not sealed off and air does get in and out of those rooms. The person tending those transformers told our researcher when he visited that they were aware the stuff under the transformer was PCBs. They did not want to get into the whole business of cleaning it up because of all the decontamination procedures.

Given the danger of fire, which is after all a greater danger than leakage, will the minister take steps to have the PCBs replaced by other less dangerous coolants through a retrofill system? Is the minister not aware that there is a retrofill system, developed by a Canadian, that has now been licensed by the Environmental Protection Agency in the United States? They are going to go about replacing the PCBs in Sheraton hotels shortly. Why are we not replacing the PCBs in public buildings at least, and in hospitals as well as this Legislative Building, here in Ontario?

11:20 a.m.

Hon. Mr. Wiseman: As I said before, if there is any danger at all, we will take steps to correct that. From meeting our people this morning and the people from the Ministries of the Environment and Labour, I understand there is no danger like that.

I understand a call came to my regional office from the Liberal research department early in

the week, saying they had someone connected with one of the universities who was up on PCBs and so on and could they look at the three we have in place. Being the good people we are, we allowed them to come in and have a look. Now, with the experts in the other two ministries as well saying there is no problem, I am assured there is no problem; but if there is, we will certainly correct it.

Mr. Smith: Is the minister not aware of what happened to this skyscraper in Binghamton, where I am sure the experts also said there was no problem but where a fire occurred and because of the contamination the building is virtually a write-off now, even though it was a relatively small fire?

Given that we have PCBs not only in our own buildings here but also at Mount Sinai, Toronto East General, Toronto General, Toronto Western, several schools, secondary schools, the university and stadiums and so on, has the minister explained to you, Mr. Speaker, why this province is not moving to take the PCBs out of those transformers and replace the coolant with something that is less dangerous? Why wait for a fire to occur and then scramble to try to do something about it?

Hon. Mr. Wiseman: I think I have answered the question. I will just say I find it hard to believe that the Leader of the Opposition would try to scare people, in my opinion unnecessarily, at this time of year. Certainly we may have a fire, and one can always use examples. I know it is the member's last day in the House, but I really do not think he should scare people unnecessarily. If there is a problem anywhere, we will look after it, but please do not scare people.

The Deputy Speaker: A new question; the member for Ottawa Centre.

[Applause].

Mr. Cassidy: Thank you.

ASSISTANCE TO FARMERS

Mr. Cassidy: Mr. Speaker, I hesitate to ask any kind of critical question in view of the suggestion by the member for Lanark (Mr. Wiseman) that, this being the Christmas season, no criticism is in order. None the less, I want to ask a question of the Minister of Agriculture and Food, since the government has now broken his promise that he would have an agricultural plan which would be announced in the Legislature by today.

Can the minister explain why his representa-

tives on the task force are party to recommendations which in effect gut the recommendations of the Ontario Federation of Agriculture task force by refusing to take any action to impose a moratorium on bank foreclosures, despite the fact that this has been done by Saskatchewan, but not by Ontario; by telling the province not to re-enter the long-term credit field, despite the fact this is done in Alberta and in Quebec; and by refusing to make any recommendations about involvement in land banking on a long-term basis, despite the fact this has also been done in the provinces of Manitoba and Saskatchewan?

How can the minister claim that anything he comes up with before Christmas is going to solve the problems of farmers when the major recommendations of the Biggs task force have been thrown out of the window before the minister even sat down to look at them with his government?

Hon. Mr. Henderson: Mr. Speaker, the honourable member has a copy of this report. I personally had it delivered to him this morning. He knows everything in the report. It is signed by the president of the Ontario Federation of Agriculture. I took them to lunch and spent one hour with them, one of the top farmers in Ontario, the president of the federation of agriculture and two deputy ministers. I gave them no directions. This is their report.

There was no guidance from my ministry on this report. It is their report that is before the member.

Mr. Cassidy: I do not know if the minister understands how government works. I believe he is acquainted with a certain Duncan Allan, who happens to be the Deputy Minister of Agriculture and Food and who, therefore, was there preparing this report and was clearly carrying orders from the government to gut the recommendations of the OFA and to come up with something which they say will be a response only to short-term adjustment problems.

Is the minister not aware that the farmers who were here yesterday and the farmers who have been raising concerns across the province are also talking about the long-term problems under which they have been put because of the high interest rates and the lack of agricultural policy coming from this government? How does he expect the 80,000 or 90,000 farmers in this province to survive the present interest rate crisis when, at best, only several thousand farmers will be assisted even if what is left in this report is implemented before Christmas?

Hon. Mr. Henderson: I will try to respond to the member's comment that I personally do not understand the operations of government. We know he never will understand—

The Deputy Speaker: I do not think that is the question.

Hon. Mr. Henderson: Well, he asked me. The report is fair. They responded fully to the Biggs report. If he would read both reports—

Mr. Cassidy: They gutted it.

Hon. Mr. Henderson: They did not. They responded as they thought fit. The member is telling the president of the Ontario Federation of Agriculture he does not know how to represent the farmers. That is what he is saying.

Mr. Cassidy: I am saying your deputy minister called the shots there and he was under orders to take that stuff away.

Hon. Mr. Henderson: He is telling that to the president of the Ontario Federation of Agriculture. We are disappointed in him. We believe in the president of the federation of agriculture.

Mr. Riddell: Mr. Speaker, when the action committee gave its report, I believe it indicated that \$60 million was a good starting point but that if it was proven more than \$60 million was needed, it was hopeful the government would continue to assist those farmers in need. When the Treasurer (Mr. F. S. Miller) made his statement, he said the government would make available \$60 million in additional funding for this purpose.

My question is, if he finds it is going to take considerably more than \$60 million to give those farmers in need the assistance they must have, is the minister prepared to recommend to the Treasurer, and will the Treasurer be prepared to accept, that more than \$60 million must be committed?

Second, how does the minister intend to implement the program? Is the program going to be made available to all farmers who are in need, or is he going to select certain groups of farmers in need of this program? In other words, is more than \$60 million going to be made available if it is needed? How is the program going to be implemented?

Hon. Mr. Henderson: Mr. Speaker, the member is reading something into the report that I have not been able to read into it. Let me read from the report, "The province should allocate a pool of \$60 million in 1982 to fund its share of this special assistance program." It is there in black and white on the last page of the report.

There is no indication to me that it will take more or less. I went by that report. The member is trying to read something into it that the committee did not put into it. Our Treasurer has responded this morning that he is ready to put up the \$60 million. We have to work out the details.

Mr. Riddell: On a point of privilege, Mr. Speaker: I anticipated what was coming this morning, and I phoned the president of the Ontario Federation of Agriculture. I spoke to Ralph Barrie, and he made it very clear to me that their proposal was to have an open-ended program and that if \$60 million was not sufficient they fully expected the government would commit more. That came from one of the—

The Deputy Speaker: I am having difficulty deciphering your point of privilege.

Mr. Cassidy: I hesitate to ask this of the Minister of Agriculture and Food, but it concerns the announcement he has promised about the special assistance program for farm adjustment directed to farmers who are hardest hit by the interest rate increases and who are in dire straits. If the announcement is made before Christmas, will the minister undertake on behalf of the government that home owners, who are also in dire straits because of the increase in mortgage rates and the effect that is having on their being able to hang on to their homes, will also qualify for an assistance program coming from this government?

Is it the government's position that it was prepared to respond when farmers took direct action in Port Elgin and by depositing dead livestock down in Toronto? Must home owners do likewise in order to get action from this government to rescue them from their difficulties?

11:30 a.m.

Hon. Mr. Henderson: Mr. Speaker, I am more than disappointed. There is no good farmer out there associated with depositing dead animals in this city. In fact, the good farmers out there are very disappointed in that action. Let that be known quite clearly.

Mr. Cassidy: How about Port Elgin? Are they not good farmers? Is the minister saying they are not good farmers?

The Deputy Speaker: Order, the minister has the floor.

Mr. Cassidy: There were 30 farmers here yesterday who were in the demonstration at

Port Elgin. Is the minister saying they are not good farmers? Will he come to Port Elgin and say that?

The Deputy Speaker: Order. The Minister of Agriculture and Food will please continue with his answer.

Hon. Mr. Henderson: The Leader of the Opposition—no, he is not the Leader of the Opposition.

The Deputy Speaker: Fine, just continue with your answer.

Hon. Mr. Henderson: Mr. Speaker, in response to the leader of the third party, had he been here yesterday he would have heard my comments about those farmers. They are the cream of the crop. Put them any place—

Mr. Cassidy: And they had to demonstrate in Port Elgin to get you to act.

Hon. Mr. Henderson: In response, Mr. Speaker, I am attempting to implement the recommendations of the committee.

PLANT LAYOFFS

Mr. Cassidy: Mr. Speaker, my first question in this Legislature four years ago was to the Premier and it was about the creation of jobs. I would like to ask the Premier: Is he aware of the situation in Woodstock where 30 per cent of the manufacturing labour force—some 2,100 workers—are now on indefinite or temporary layoffs out of a total manufacturing work force of about 7,000? Is he aware that 20 of the 27 firms we spoke of now have substantial layoffs, including such major firms as Kelsey-Hayes; Standard Tube; Harvey Woods; La France, where the entire third shift has been laid off; and Timberland, where 36 workers have been put on indefinite layoffs and all of the workers will be off during most of the month of January?

In view of the situation that now exists in Woodstock—that house prices have come down because of the economic situation, welfare demands are up and the whole community is suffering—what proposals does the government have or what action has the government taken that will ensure there are more jobs for the workers in Woodstock to help them weather a very difficult winter ahead?

Hon. Mr. Davis: Mr. Speaker, I must confess to the leader of the New Democratic Party I cannot recall with the same measure of accuracy his first question to me some four years ago or whatever length of time.

Hon. Mr. Pope: It was about coal in Michigan.

Hon. Mr. Davis: The very distinguished Minister of Natural Resources reminds me it was about coal in Michigan. It may have been about jobs, I would never debate that.

I think I answered a similar question relating to another community some six or seven days ago. I really cannot add a great deal to that response. I made it quite clear this government is concerned about the economic situation—not just as it applies to Woodstock but to many communities across this province.

I did make a point of reminding the leader of the New Democratic Party that in many respects the year-over-year job creation figures were beyond even our own expectations. I think he knows why the economic conditions are as they are. I think in his more logical moments he might understand that much of this relates to the automotive sector.

As I have said on many occasions, the automotive sector is impacted primarily by the economic policies of the government of the United States. I need not remind him that 80 per cent of the production of the automotive sector from this province finds its way to the United States and 75 per cent of farm machinery production finds its way to that country or offshore. This government cannot control the economic policies of the government of the United States.

We have been in the process of giving encouragement to certain sectors of the economy. The leader of the New Democratic Party heard the announcements this morning. I think even he, in his logical moments, when he recognizes the accomplishments of this government, probably takes some modest credit for the decision of this government to expand and invest several millions of dollars in the Ottawa Valley, more particularly in the Ottawa-Carleton region, not too far from his own constituency. I suspect he would not be saying—

Interjections.

The Deputy Speaker: Order. I think the question was well answered. A supplementary.

Mr. Cassidy: Mr. Speaker, do not make editorial comments.

The Premier says he is concerned about layoffs, but during the month of November some 4,000 workers lost their jobs, a rate of six workers losing their jobs through layoffs every hour last month. Could he explain why, when he has that concern about layoffs, the members of his party blocked efforts last night in committee to have layoffs referred to the resources devel-

opment committee over the course of the winter break and have this Legislature look at the needed action in order to prevent future layoffs?

Could he also explain why it was not only the back-bench members of his party who blocked efforts to have layoffs referred to the legislative committee, but his House leader, acting on behalf of the Conservative government, also resisted and refused our efforts to have that layoffs committee set up? If he really has that concern, why will he not even let this Legislature discuss it during the winter break?

Hon. Mr. Davis: Mr. Speaker, this Legislature provides ample opportunity for discussion of this issue. I was not part of the committee's discussion and, unfortunately, I was not here last evening.

Mr. Foulds: You never are.

Hon. Mr. Davis: That is fine. I am not going to suggest the member for Port Arthur is somewhat politically motivated, but I think it is quite obvious. I had a lot of fun with the member at a meeting with some of his constituents the other day.

Mr. Foulds: Too bad you didn't answer them.

Hon. Mr. Davis: I had great pleasure in reminding them that if it had been left up to the member, even the debate we had in the cabinet room would never have occurred because of his opposition to the Urban Transportation Development Corporation, and his leader's opposition at one point in history. I enjoyed that thoroughly.

I think it is obvious to all members that one can go to company after company—it might prove to be somewhat beneficial and it might be interesting—but the reality is that most of the economic impact is being felt in the manufacturing sector, and it is because of the economic situation, not only in the United States but in some other parts offshore. There is no question the export part of some industries in this province is being impacted.

I think a legislative committee could meet day after day, hour after hour, and come to the conclusion that the automotive sector is one example where no amount of effort on the part of a select committee could alter the economic policies in the United States that would lead to greater consumer confidence and consumer demand. I do not care how he tries to debate it, the reality is that the automotive sector is depressed at the moment because of economic conditions in the United States. He knows that, and if he does not I can take him to several

hundred workers at American Motors in Brampton who are fully aware of that being the reason.

Mr. Wrye: Supplementary, Mr. Speaker: I have just been informed by my office in Windsor that the Ford Motor Company of Canada announced today it will be closing its Ensate engine plant in Windsor next spring permanently. This closure will throw another 500 people in that city out of work. In light of the fact the government gave the Ford Motor Company \$28 million for the new Essex engine plant, I ask the Premier these questions: Was he informed of the closing of the Ensate plant in advance of today's announcement? And what does he intend to do to try to keep that facility open and try to keep the people in Windsor working?

Hon. Mr. Davis: Mr. Speaker, I am informed by the Minister of Industry and Tourism (Mr. Grossman) that we were informed at 10 o'clock this morning. I am not familiar with the details. Certainly the Minister of Industry and Tourism will be pursuing it. The member relates the announcement to the government's investment in the Windsor area for the new engine plant, which he may or may not agree with. I would remind him that every single Windsor and Essex county member was present and taking great credit—

Interjection.

11:40 a.m.

Hon. Mr. Davis: I just thought I would point out that some of his colleagues were very much in support of that at the time it occurred.

Mr. Martel: All he does is encourage more foreign direction. That is all he does, contrary to the select committee's recommendations.

The Deputy Speaker: The member for Ottawa Centre has the floor. The member for Sudbury East (Mr. Martel), your colleague has the floor.

Mr. Cassidy: Supplementary, Mr. Speaker: No job targets were attached to the Board of Industrial Leadership and Development program at all, and there are no substantial BILD initiatives targeted for the Woodstock area. Could the Premier say what specific long-term plans the government has in order to ensure there are adequate jobs for the people in Woodstock and they are not forced to move out to Alberta or leave the area they live in right now?

What specific plans does the government have beyond telling them to hope and pray the

American economy turns around some time in the future? What specific plans does this government have in order to counter our economic distress? According to the federal government's statistics and forecasts it will lead to unemployment exceeding 400,000 people in this province by 1985 unless there is a new strategy. What new strategy does he have to ensure that does not occur in Ontario?

Hon. Mr. Davis: I am not going to comment upon projections from the government of Canada and how they might be interpreted. I would only say, as I did in answering a very similar question a few days ago related to another community, the BILD initiatives, while they did not have an employment figure attached to them, did single out those areas of economic activity which will enhance economic development in Ontario.

If the member does not agree with those initiatives, then I just wish he would go back home to Ottawa and say he does not. I cannot—

Mr. Cassidy: It does not single out St. Thomas; it does not single out Chatham; it does not single out Windsor.

Hon. Mr. Davis: With great respect, it singles out certain areas of economic activity. If he does not like what we are doing in the Ottawa Valley he should have the intestinal fortitude to go home to Ottawa and say to the Ottawa Citizen that he disagrees with that initiative.

I have a dollar bill here, Mr. Speaker. I will wager a dollar bill that the member for Ottawa Centre will never make any such statement.

The Deputy Speaker: New question.

Mr. Mancini: Supplementary, Mr. Speaker: We have had 20 per cent unemployment in Windsor now for the past two years. There are a further 500 people who are going to be permanently laid off. I think, under these circumstances, you should allow another supplementary.

The Deputy Speaker: No. New question.

Mr. Mancini: We want to know what this government is going to do for Windsor and Essex county. What new economic programs and also initiatives—

The Deputy Speaker: Order, please.

Mr. Mancini: —are they going to take up for Windsor, Essex county. There are 500 more people who are going to be permanently laid off. This government sits on its butt and does nothing.

The Deputy Speaker: Order. The member for Essex South, your own colleague, the member for St. Catharines (Mr. Bradley), has a new question.

Mr. Mancini: We heard announcements today for Cambridge.

The Deputy Speaker: This is the second time, the member for Essex South. Order.

LIQUOR LICENCE BOARD OF ONTARIO

Mr. Bradley: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. As we already know, the ministry's chief investigator, David Mitchell, was seconded by the ministry in April 1980 to act as the director of the inspections branch of the Liquor Licence Board of Ontario.

Will the minister acknowledge that the termination of Mr. Mitchell's employment at the LLBO was done without the foreknowledge or consent of the ministry? In such a situation where the ministry has parachuted in its own investigator to examine a crown agency, and that crown agency summarily gets rid of the investigator, does the minister not find it surprising at the very least that the ministry so readily acquiesced to the shunting aside of its investigator?

Hon. Mr. Walker: Why would we ever do that? I cannot understand what the member's question is about. The man was director of investigations.

Mr. Roy: You have to answer.

Hon. Mr. Walker: Just a moment. Now come on, Albert. Sit back.

Mr. Roy: You are the minister. You have to answer a question, not ask it.

Hon. Mr. Walker: Want to bet? The fact is that Mr. Mitchell—

Mr. Roy: If you cannot answer the question, get out.

Hon. Mr. Walker: The member has to listen to the answer. If I give it, he has to listen.

Mr. Roy: If he cannot answer it—

The Deputy Speaker: All right, all right. The minister has the floor.

Hon. Mr. Walker: To the member for St. Catharines, I would like to say that Mr. Mitchell did leave. He was seconded from our ministry, where he was director of investigations. He went down to the board to fill a position there as director of investigations; when they had a vacancy, for one thing, and because they did not have a suitable candidate to fill that job in April 1980.

By January 1981, not only had the necessity for his presence down there come to an end, but they had also found a new person to fill the role of director of investigations, which is something they could not have done earlier. They did not have a suitable candidate for director of investigations in April 1980 when Mr. Mitchell went down. Mr. Mitchell's work came to an end. Does the member think we were going to leave him down there all the time? No—the opposition leader should be careful—no, we are going to have him come back to our place and work where he belongs. He was seconded from our ministry. Does the member not think we want him back? In any case, what was there left to do?

Mr. Bradley: The minister is saying that when Mr. Mitchell was—I will say turfed out—by the board and landed on the ministry's doorstep, the general consensus was that his work was, for all intents and purposes, completed. If that is indeed true, why will the minister not table in this House the reports Mr. Mitchell was making to the deputy minister concerning the goings-on at the LLBO, so that we can determine whether or not he was gotten rid of because of what he was finding out?

Hon. Mr. Walker: First of all, after that question was posed a few days ago in this same area, my understanding was that the reports were in writing. I now gather the reports were verbally given and sent back, and this is confirmed by my colleague sitting beside me, who was the minister of the day. I do not know how we are going to table the verbal communications, but if the honourable member can suggest a way, we might do that as well.

Whatever the case, the situation changed down there. The fact the auditor was called in is attributed to my colleague here, who insisted that the auditor go in and do a report on the matter, and it was properly dealt with. What is the issue? What is the member talking about? I do not even see what he is trying to get at.

Mr. Smith: Mr. Speaker, since the minister professes not even to understand the issue, may I outline it for him this way, and could he explain it to the House: if the minister felt a necessity to send an investigator to the LLBO to see what was going on there, and if the investigator did send back reports which showed there were grave irregularities in the place, why is it if his work was done, that either the investigator did not voluntarily resign or the minister did not voluntarily call him back?

Why was it the decision of the LLBO to get rid

of the investigator? When a minister sends an investigator to investigate an organization, gets information and then finds his investigator has been shipped back to him, would the minister not agree the ministry has the responsibility to send the investigator back and say, "Don't you fire my investigator; he is getting information for me." Would the minister not agree with that?

Hon. Mr. Drea: Mr. Speaker, on a point of privilege, which may clarify the matter before the minister replies—

The Deputy Speaker: Order. Under the circumstances, will we allow the Minister of Community and Social Services to respond to the question if it would clarify the issue? We have agreement.

Hon. Mr. Drea: The reason I rise on a point of privilege is that the words have been used, and I think inadvertently, that the minister, and that was me, sent Mr. Mitchell as an investigator to the board. That is not correct. Mr. Mitchell was seconded to the LLBO in April 1980 following the convictions of the chief liquor inspector and the deputy chief liquor inspector. Because of suspensions and because of a criminal trial, neither one of those people had been operating in normal duties at the board for a considerable time.

Mr. Mitchell was sent there as a director to ensure the proper administrative procedures, according to the manual of administration of this government, would be followed until the board could find someone with experience to take the job. He was not dispatched in April 1980 to investigate the board.

11:50 a.m.

UREA FORMALDEHYDE FOAM INSULATION

Mr. Swart: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. As the minister knows, there are press reports and information directly from the office of Mr. Ouellet to indicate he is proposing some joint federal-provincial program for removing urea formaldehyde foam insulation from the homes where there is a health problem and from the homes where there is a reading of formaldehyde gas in excess of 0.1 parts per million. Have any proposals been made, formal or informal, by Mr. Ouellet to the ministry? If so, what are they?

Whether or not the minister has received them, what is the proposal of his government to

deal with this problem? Is he willing to assist even in a minor way towards removing the urea formaldehyde foam insulation from those homes?

Hon. Mr. Walker: Mr. Speaker, I spoke with the federal Minister of Consumer and Corporate Affairs two days ago by telephone in respect to the telex he had sent me on Monday indicating there was a proposal coming. He suggested in some vague way what some of the arrangements might be. I think he would expect a certain amount of support from the province. The proposal he will submit ultimately to public scrutiny will likely be forthcoming some time after January 1.

He had indicated he intended to do it within a few days when the press reports came out several days ago, but more recently, as a result of our conversation, I think he is intending to make an announcement some time after January 1, which will be in the form of a concrete proposal.

I do not think it appropriate for me to share with the member now the contents of the discussion other than to say there was an indication on his part that he wanted the provinces to play a role financially in the matter. It seemed kind of strange that he was asking us to correct their error. However, that was the submission he put forward. When it comes forward, I will be taking the matter to my cabinet colleagues and asking for their direction.

Mr. Swart: Supplementary, Mr. Speaker: I am sure the minister must be aware that from the preliminary statistics of his own government's Ministry of Health there are at least 3,000 urea formaldehyde foam insulated homes already identified where the occupants are suffering health problems. Will the minister assure this House that whatever action is taken will be taken quickly?

Will he also assure this House that he will be co-operative with the federal government and not let buck-passing between the two governments cause those people to stay in their homes indefinitely suffering from these very serious health problems?

Hon. Mr. Walker: Mr. Speaker, it is a very serious matter, of course. We have to assume that we know all the answers on the matter as to whether urea formaldehyde should or should not be removed.

There are some who say that to remove it dislodges the material and makes it unstable. This, therefore, creates a health hazard where

one previously did not exist. The member knows that well. There are other aspects of it. I am told by Mr. Ouellet that as a result of some of their studies, they can indicate, or perhaps even prove, that modest corrective measures will resolve the problem in a large number of cases. In any case, all I can say is that until the federal minister puts forward his program we are not in a position to make any comment on his program. We have to see the final picture of it. I have some indications of what his program will be but I think it would be unfair for me to announce those prior to his having the opportunity to make them public.

Mr. Philip: Supplementary, Mr. Speaker: Does the minister agree with the comments made by Mr. Wilson, the member of Parliament and Treasury critic of the federal Conservative Party, that the reason the minister is not making the announcement now while the House of Commons is in session is that there is very little that is going to be offered. If the proposal turns out to be exactly that, is the member's ministry prepared to step in to the vacuum which the federal government obviously is creating?

Hon. Mr. Walker: Mr. Speaker, I think the latter question is presuming an awful lot; indeed, so is the former question by the sound of it. From what I heard, when he spoke to me, I had an indication from him that it was a fairly substantial program.

LIQUOR LICENCE BOARD OF ONTARIO

Mr. Smith: I have a point of privilege, Mr. Speaker, regarding a point that was raised by the former Minister of Consumer and Commercial Relations and the present Minister of Community and Social Services (Mr. Drea). He said the person who was seconded to the Liquor Licence Board of Ontario was sent as a director, and not as an investigator. I would simply say that he was sending back reports regularly regarding what was going on at the LLBO. The present Minister of Consumer and Commercial Relations (Mr. Walker), on December 9 in Hansard, is quoted as saying to me: "Does he not understand? He was our investigator; we wanted the guy back. Why would we not?" I simply want the record to indicate that he was obviously regarded as an investigator by the ministry and by the minister. He acted as an investigator, and he was sent back at the instigation of the very people he was investigating.

The Deputy Speaker: I think the point has

been made. If I could beg the indulgence of the House, the Minister of Industry and Tourism has an answer to a question previously asked. But before he continues, is it a short, medium or long response?

Hon. Mr. Grossman: Short.

The Deputy Speaker: Continue.

INTERNATIONAL HARVESTER REFINANCING

Hon. Mr. Grossman: Mr. Speaker, I would like to reply to a question from the member for Hamilton East (Mr. Mackenzie) concerning International Harvester. Officials of my ministry have been monitoring the International Harvester refinancing situation very closely, although we are not an active participant. Negotiations for a refinancing package are at a delicate stage, and I cannot comment on them at this time. However, I am informed that International Harvester is confident it will be able to continue its Canadian operation. At present there are no planned major new layoffs, and all employees who are, or will be, on temporary layoff over the normal holiday shutdown will be returning as expected on January 4, 1982.

With regard to the 78 engineering staff employees, International Harvester has been forced by economic conditions, in its view, to consolidate some of its development activities worldwide. This is similar to what Massey-Ferguson was forced to do as a result of its difficulties. I am informed that most of those employees will be offered employment either in other Canadian operations or in related operations of International Harvester.

ONTARIO HYDRO APPROVALS

Mr. Runciman: Mr. Speaker, I have a question for the Minister of Energy. My question relates to layoffs we are now experiencing in the manufacturing sector of this province, and more specifically to the pending layoff of 150 workers at the Black and Decker plant in Brockville. While Canadian manufacturers of power tools, such as Black and Decker, are abiding by the rules, Ontario Hydro is giving a Japanese manufacturer, Makita, a six to nine months' edge in introducing new products to the market by issuing safety approval stickers for Makita power tools without testing. It is thereby bypassing the Canadian Standards Association approval route that Canadian manufacturers follow in accordance with the Canadian electrical code.

Based on this information, is the minister prepared to take whatever action is necessary to discourage Ontario Hydro from carrying on a practice that is discriminatory and economically harmful to the Ontario power tool industry?

Hon. Mr. Welch: Mr. Speaker, I want to thank the honourable member for giving me notice with respect to this question, in order that we might—

Mr. Peterson: Would you expect otherwise?

Hon. Mr. Davis: There is great merit in it. You should try it some day.

Hon. Mr. Welch: This honourable member was very interested in having an answer. One wonders about the other side.

Mr. Speaker, I am advised that Ontario Hydro's electrical safety regulations require that all electrical equipment used in this province must be CSA-certified, or in cases where a small quantity of equipment is involved and formal submission to CSA cannot be economically justified—and I underline once again, a small quantity of equipment—then an alternative approval method has been established whereby this equipment can be approved by Ontario Hydro electrical inspectors.

This safety-related approval service provided by Ontario Hydro is complementary to the CSA approval route. I am further advised by Ontario Hydro that this safety-related service is available to every manufacturer of electrical equipment, including Makita, to which reference has been made, and Black and Decker. I am also advised that Black and Decker is fully aware of this service provided by Hydro.

12 noon

Mr. Runciman: Mr. Speaker would the minister be willing to investigate claims that are in conflict with a number of the points he raised in his answer? These are that Black and Decker has been refused Ontario Hydro equipment approvals on the occasions the company has applied, and on many occasions Japanese equipment receiving Ontario Hydro approval has subsequently failed CSA approval. Further, Makita tools with only Hydro stickers are being sold in many outlets in this province and in Quebec.

Hon. Mr. Welch: Yes, Mr. Speaker, I would be very happy to check into the details there.

FINANCIAL INSTITUTIONS

Mr. Roy: Mr. Speaker, I had a question for the Attorney General and Solicitor General

(Mr. McMurtry), who I understand was here earlier. I will direct my question to the Provincial Secretary for Justice.

In view of the fact there is a tremendous increase in the number of armed robberies taking place in relation to financial institutions, banks, caisses populaires, credit unions and so on, I wonder if the minister would advise if he is aware of this statement made by the deputy police chief of Ottawa, Tom Flanagan, who is the chairman of the law amendment committee of the Canadian Association of Chiefs of Police:

"There is a complete lack of co-operation from the bank security people. Because of this refusal to update their security, people are robbing banks the same way Bonnie and Clyde did it. All they have to do is jump over the counter, take the money and run. Bank robberies are the only crime that has continued exactly the way it was years ago."

In view of the fact that the banks have had tremendous increase in profits, and in view of the fact I understand there is a committee looking into the question of armed robberies and security but it will not report for two years, would the minister call in the security people from the banks and discuss with them how then can improve their security, thereby assisting the police of this province?

Hon. Mr. Walker: Mr. Speaker, the suggestion sounds quite reasonable and I will convey that to the Solicitor General and Attorney General. I have to say the statement provided by Deputy Chief Flanagan is a very credible statement. I know the man and if he said it there is a lot of truth in it. I will see the Attorney General has this information brought to his attention immediately. Would the member mind sending over a copy of the newspaper clipping?

Mr. Roy: I certainly will send the minister a copy of the editorial in the Ottawa Citizen. Is the minister aware that the bank security people—

Interjections.

The Deputy Speaker: Order please. The holiday season has not quite started yet. We are having difficulty hearing the question.

Mr. Roy: I would ask the minister if he is aware of the response, apparently on the part of the bank security people, that they have taken steps to protect their staff in the event of these robberies. According to Deputy Chief Flanagan the security people in the banks have not taken steps to install bullet-proof glass around the tellers; they have not taken his suggestion that

the cash be in a vault like a central depository, or the possibility of planting security bugs within the cash itself. I wonder if these aspects of security might be discussed with the security officials for the banks?

Hon. Mr. Walker: That too sounds reasonable.

EMPLOYEE HEALTH AND SAFETY

Mr. Martel: Mr. Speaker, I have a question of the Minister of Labour. In a recent accident at Inco operations in Levack, a driller was struck by a piece of loose and as a result his leg was amputated above the knee. I would like to send the minister a copy of this picture if I might, so he has an opportunity to look at it.

Is the minister aware that his inspectors only arrived 24 hours after the accident? Even more important, can the minister indicate why it remains the prerogative of Inco to determine what is considered to be a serious accident? They determine when the police have to be called. If they do call the police, they must notify the union; but if they do not contact the police, they do not have to notify the union hall. Why should Inco have the right to determine what is a serious accident, considering the seriousness of the situation?

Hon. Mr. Elgie: Mr. Speaker, I thank the member for forwarding the picture to me.

I do not have the details of this particular case. It is my recollection of the Occupational Health and Safety Act that the union should have been notified in the event of a serious accident or a fatality, in this case a serious accident. I can only say I will have it looked into and report to the member.

Mr. Martel: I want to indicate to the minister that a member of the occupational safety, health and environmental committee was there but he is not as skilled in doing that type of investigation as the people on the inquest team, which is responsible for looking into serious accidents.

The situation is very simple. If Inco decides it is not serious and does not call the police, then the union hall is not notified. And a member of the occupational safety, health and environmental committee underground has no access to a telephone to contact the union. In this instance a man lost his leg.

Under the bill, not only with respect to Inco but also right across this province, I do not think

the corporation should be left to determine whether it is a serious accident. That should be left to someone else.

Hon. Mr. Elgie: I will have not only the particular case but also the whole issue reviewed.

CHILDREN'S MENTAL HEALTH SERVICES

Mr. G. I. Miller: Mr. Speaker, on a point of privilege: I rise to correct the record on my statement of December 11 with regard to the closing of Sprucedale. I said on the record it was Sprucedale and it should have been White Oaks.

I also want to bring a point to the attention of the Minister of Community and Social Services. He said replacement beds would be placed so that the children would be treated in centres closer to their homes, at CPRI in London for those in western Ontario and in Toronto for those from the Hamilton-Wentworth area. I point out to the minister that the present facility at White Oaks is much closer to Hamilton-Wentworth and the Niagara Peninsula than the centres in London or Toronto.

Hon. Mr. Drea: Mr. Speaker, I made it absolutely plain in my remarks in estimates that there was also one resident child from Haldimand-Norfolk who had to go to Hamilton. We also made it very plain that the day program would remain in Haldimand-Norfolk.

Ms. Copps: Mr. Speaker, on the same point of order and correction of the record: The minister said today that White Oaks was being closed so the children could be sent to CPRI. Last week he said they were going to be kept in their local areas. Which is it?

Hon. Mr. Drea: Mr. Speaker, if the honourable member will read the original announcement, we said the children from western Ontario—

Ms. Copps: It's written right here.

Hon. Mr. Drea: I ought to know what I said. I can probably find it here. We made it very plain that 15 were being sent to CPRI, 13 were located in the Metro area, et cetera—

The Deputy Speaker: I think we have had enough on that discussion.

Hon. Mr. Drea: —and that White Oaks was being closed because the cost of bringing it up to standard was enormous.

Ms. Copps: May I read it into the record?

The Deputy Speaker: No, you cannot read it into the record. You will have to do it at another time. We have taken enough time on this.

Does the member for Scarborough West have a point of privilege?

Mr. R. F. Johnston: I will deal with it by press release instead of burdening the House with his misinformation.

The Deputy Speaker: Thank you very much. Before going on to routine proceedings, on behalf of the Office of the Speaker I wish everyone the best of the holiday season to come.

PETITION

ASSISTANCE TO POLISH PEOPLE

Mr. Ruprecht: Mr. Speaker, I would like to read this petition:

"In the opinion of this House, the government of Ontario should give serious consideration to granting funds to the Canadian Polish Congress relief fund on a dollar-for-dollar matching basis to private donations raised within the province of Ontario for the purpose of providing emergency medical supplies and food for the people of Poland. The transmittal of these supplies would be subject to the lifting of martial law within Poland and the agreement of the Polish Roman Catholic Church to act as the distribution agent."

12:10 p.m.

REPORTS

STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Treleaven, on behalf of Mr. Eves, from the standing committee on regulations and other statutory instruments reported the following resolutions:

That supply in the following amounts and to defray the expenses of the Ministry of Transportation and Communications be granted to Her Majesty for the fiscal year ending March 31, 1982:

Ministry administration program, \$24,437,200; planning, research and development program, \$6,433,100; safety and regulation program, \$39,299,800; provincial roads program, \$3-74,449,500; provincial transit program, \$48-266,000; air program, \$3,395,900; municipal roads program, \$330,794,700; municipal transit program, \$141,952,500; communications program, \$1,605,800.

That supply in the following supplementary amount and to defray the expenses of the Ministry of Transportation and Communications be granted to Her Majesty for the fiscal year ending March 31, 1982:

Provincial transit program, \$18,920,000.

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Harris from the standing committee on resources development presented the following resolution:

That supply in the following amount and to defray the expenses of the Resources Development policy field be granted to Her Majesty for the fiscal year ending March 31, 1982:

Resources development policy program, \$2,240,300.

MOTIONS

COMMITTEE SUBSTITUTIONS

Hon. Mr. Wells moved that the following substitutions be made: on the standing committee on administration of justice, Mr. Laughren for Mr. Swart, Mr. Spensieri for Mr. Bradley, Mr. Eaton for Mr. Williams; on the standing committee on general government, Mr. Swart for Mr. Wildman, Mr. Epp for Ms. Copps, Mr. J. M. Johnson for Mr. Brandt, Mr. J. A. Taylor for Mr. Runciman; on the standing committee on social development, Mr. O'Neil for Mr. Ruprecht, Mr. Renwick for Mr. R. F. Johnston, Mr. Laughren for Mr. McClellan, Mr. Edighoffer for Mr. Sweeney, Mr. Conway for Mr. Van Horne;

On the standing committee on public accounts, Mr. Di Santo for Mr. Foulds, Mr. Bradley for Mr. Peterson, Mr. Gordon for Mr. Cousens, Mr. Kolyn for Mr. J. A. Taylor; on the select committee on pensions, Mr. Van Horne for Mr. Epp, Mr. Haggerty for Mr. Peterson; on the select committee on the Ombudsman, Mr. Gordon for Mr. Andrewes, Mr. MacQuarrie for Mr. Barlow, Mr. Mitchell for Mr. Dean, Mr. Piché for Mr. Eves, Mr. Treleaven for Mr. Kells.

Motion agreed to.

HOUSE SITTING

Hon. Mr. Wells moved that the House continue to sit today until it is prorogued by the Honourable the Lieutenant Governor.

Motion agreed to.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, before the orders of the day, I would like to table the answers to questions 186, 191, 264, 270 and 272 standing on the Notice Paper. (See Appendix A.)

ORDERS OF THE DAY

Hon. Mr. Wells: Mr. Speaker, I would like to call the government motions, notice of which has been given and which are printed on the Notice Paper.

Mr. Nixon: On a point of order, Mr. Speaker: Is it possible that since these are printed on the Notice Paper and will go in the Votes and Proceedings that they could be considered as resolutions by number rather than totally read out?

The Deputy Speaker: That sounds like a good idea. Can we do that?

Hon. Mr. Wells: That will be perfectly agreeable to me, Mr. Speaker.

STANDING COMMITTEES

Hon. Mr. Wells, seconded by Hon. Mr. Snow, moved resolution 12.

Reading dispensed with. (See Votes and Proceedings).

Motion agreed to.

SELECT COMMITTEE ON PENSIONS

Hon. Mr. Wells, seconded by Hon. Mr. Snow, moved resolution 13.

Reading dispensed with. (See Votes and Proceedings).

Motion agreed to.

SELECT COMMITTEES

Hon. Mr. Wells, seconded by Hon. Mr. Snow, moved resolution 14.

Reading dispensed with. (See Votes and Proceedings).

Motion agreed to.

STANDING COMMITTEE ON
PROCEDURAL AFFAIRS

Hon. Mr. Wells, seconded by Hon. Mr. Snow, moved resolution 15.

Reading dispensed with. (See Votes and Proceedings).

Motion agreed to.

STANDING COMMITTEES

Hon. Mr. Wells, seconded by Hon. Mr. Snow, moved resolution 16.

Reading dispensed with. (See Votes and Proceedings).

Motion agreed to.

PRIVATE MEMBERS' BALLOT

Hon. Mr. Wells, seconded by Hon. Mr. Snow, moved resolution 17.

Reading dispensed with. (See Votes and Proceedings).

Motion agreed to.

APPOINTMENT OF PROVINCIAL
AUDITOR

Hon. Mr. Wells: Mr. Speaker, with the consent of the House, I have one further substantive motion I would like to make. It is a motion that is necessary. It is an address of the House concerning the appointment of the Provincial Auditor. If I could have consent, I would like to present it now.

The Deputy Speaker: Do we have consent?

Agreed to.

Hon. Mr. Wells, seconded by Mr. T. P. Reid, moved that a humble address be presented to the Honourable the Lieutenant Governor in Council as follows:

To the Honourable the Lieutenant Governor in Council:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Douglas Francis Archer as Auditor for the province of Ontario as provided in section 3 of the Audit Act, RSO 1980, to hold office under the terms and conditions of the said act.

And that the address be engrossed and presented to the Honourable the Lieutenant Governor in Council by Mr. Speaker.

Motion agreed to.

House in committee of the whole.

TORONTO AREA TRANSIT OPERATING
AUTHORITY AMENDMENT ACT

Consideration of Bill 2, An Act to amend the Toronto Area Transit Operating Authority Act.
12:20 p.m.

Hon. Mr. Snow: Mr. Chairman, I have an amendment to move to section 4 if there is nothing before that.

Sections 1 to 3, inclusive, agreed to.

On section 4:

The Deputy Chairman: Hon. Mr. Snow moves that section 6(b) of the act as set out in section 4 of the bill be struck out.

Mr. Mancini: Mr. Chairman, the minister was kind enough to arrange a very lengthy meeting

between myself and the critic for the New Democratic Party and several of his senior staff people. We were informed at that meeting some time ago that the minister would be moving to strike out subsection 6(b) of section 4 and we concur with the minister's actions.

Mr. Samis: Mr. Chairman, we will support the amendment. I think the reasons are self-evident.

Motion agreed to.

Section 4 agreed to.

Sections 5 and 6, inclusive, agreed to.

Bill 2, as amended, reported.

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT

Consideration of Bill 53, An Act to amend the Public Transportation and Highway Improvement Act.

On section 1:

Mr. Samis: I have one question, Mr. Chairman, on section 1(5)a. I would ask the minister, since time ran out in the second reading debate, if I recall the answer to opposition comments why the decision was made not to apply this to trolley cars just to buses. It talks about vehicles with electrically driven motors, as the minister may designate. Could he clarify that for us?

Hon. Mr. Snow: Mr. Chairman, under the reading of the clause it would allow this to apply to streetcars; that is what the honourable member is saying. But it is not the intention or the policy that this high rate of subsidy would be available only to the trolley buses.

Mr. Samis: Could I just ask for some information? Am I right or wrong that, the way it is written there, trolley cars would come under this bill? They are eligible? It is just that you are saying your policy intention is not to provide it at present?

Hon. Mr. Snow: Yes, Mr. Chairman, that is what I said. The way the bill is written it could apply to streetcars but because of the incentive, the initiative, streetcars are an existing program of the ministry. The incentive there is for trolley buses to replace diesel buses, to save oil and use electricity. We intend to apply this and the program has been announced that this would apply to trolley buses.

Mr. Samis: One final question: I still do not think the minister has given us the reason why he specifically excludes, because he is going to, although he includes it under the bill—why are we not applying it to trolley buses? If a certain

municipality wants to opt for that form of getting off the fuels we are trying to get people off, why does he not apply it to them?

Hon. Mr. Snow: I guess the same argument can be used for subways. Subways are electrically motivated and it is not our intention to include them. Although the section here does allow the higher rate of subsidy, it is our intention, as an incentive program, to do it only for trolley buses.

Mr. Samis: I find it strange, in view of what the minister is saying, that the bill is written this particular way. If he does not want to include subways or trolley buses, I would have thought he would specifically designate the specific kind of vehicle rather than leaving it wide open. We support the overall intent, there is no question of that, only the wording strikes me as a little awkward considering the intentions of the minister.

Section 1 agreed to.

Sections 2 and 3, inclusive, agreed to.

Bill 53 reported.

DANGEROUS GOODS TRANSPORTATION ACT

Consideration of Bill 93, the Dangerous Goods Transportation Act.

Hon. Mr. Snow: Mr. Chairman, I have amendments to sections 4 and 11.

Section 1 agreed to.

On section 2:

Mr. Samis: Mr. Chairman, I have a question on section 2(2), which says, "The minister or a person designated by him may issue a permit exempting . . ." Since we have expressed reservations about exemptions and how they may be used, and since we have some reservations based on what has happened to the Environmental Assessment Act, I would ask the minister if he would give us a little clarification on the clause, "or a person designated by him may issue a permit."

We find that rather broad. In fact, the whole section 2(2) is rather broad. I would like some explanation of who he would envisage being designated to grant these exemptions, which we think are so important and which could undermine the whole intent of the bill.

Hon. Mr. Snow: Mr. Chairman, I think I explained this during the debate on second reading of the bill. The necessity for this clause is in case of an emergency where it would be impossible under the terms of the act to move a

particular material. I am thinking of a roadside spill or something like that where it would not be possible to ship the material, whatever it might be, in accordance with the regulations.

To move material, when it is probably of great advantage to get it moved quickly, an exemption might be necessary. I envisage I would issue that exemption myself or assign responsibility through the deputy minister or the assistant deputy minister of drivers and vehicles.

Section 2 agreed to.

Section 3 agreed to.

On section 4:

The Deputy Chairman: Hon. Mr. Snow moves that section 4(1) of the bill be struck out and the following substituted therefor:

“(1) Every person who contravenes section 3 is guilty of an offence and is liable,

“(a) on the first conviction to a fine of not more than \$50,000; and

“(b) on each subsequent conviction to a fine of not more than \$100,000 or to imprisonment for a term of less than two years.”

Hon. Mr. Snow further moves that section 4(2) of the said bill be amended by adding at the end thereof, “or to imprisonment for a term not exceeding one year.”

Hon. Mr. Snow: Mr. Chairman, this has been explained to the critics. I am sure they are familiar with it. This is to bring our legislation directly in line with the federal bill with minor changes.

Mr. Mancini: Mr. Chairman, we concur with the change recommended by the minister. We concur that the provincial regulations should be similar to the federal regulations if at all possible. The amendment proposed by the minister makes contraventions of this act a very serious matter indeed. We hope it will allow people to understand the seriousness of the nature of distributing dangerous goods across this province. We take this matter to be very dangerous. What we are doing is trying to go to great lengths to protect the public interest.

Mr. Samis: We will support the amendment because we think it should be dovetailed with the federal legislation, and the addition of the possibility of imprisonment is a further deterrent to people who may be tempted not to abide

by or to violate the provisions of this act. There is no question that we will support this amendment.

Motion agreed to.

Section 4, as amended, agreed to.

12:30 p.m.

On section 5:

Mr. Samis: Mr. Chairman, I have one question on section 5. I think I understand why it is there, but I would appreciate hearing from the minister as to why that clause was inserted in the first place.

Hon. Mr. Snow: Mr. Chairman, I presume the honourable member is referring to section 5 of the bill. Section 5 reads: “It is a defence to a charge under this act for the accused to establish that he took all reasonable measures to comply with this act.”

It is my understanding that this is a direct clause from the federal dangerous goods legislation. Other than that, I think it is self-explanatory. If one can produce very strong evidence that all reasonable action was taken, that should be considered at least as part of his defence.

Mr. Samis: The only reason I raise the point is that it seems to be self-explanatory to the extent that one would almost wonder why it has to be included. But if the minister says this is taken directly from the federal legislation, I will accept that explanation.

Section 5 agreed to.

Sections 6 to 8, inclusive, agreed to.

On section 9:

Mr. Samis: One quick question, Mr. Chairman. Section 9(1) says: “The minister may designate any person as an inspector for the purposes of this act.” Do we have some sort of guarantee about the training and qualifications for this? I understand the intent, but I noticed it seems to be fairly wide open. Can the minister explain that?

Hon. Mr. Snow: Obviously, Mr. Chairman, I have to have authority to designate inspectors to administer the act. The intention is that the inspectors under this act would be the inspectors of the highway carrier branch of the ministry. We do not intend to have a separate group of inspectors roaming around the country duplicating things. We have the highway carrier licensing section. There will be special training. I believe the federal government is setting up a program to train its inspectors and it is going to

work with us in training our inspectors, once we get this act passed and they get all the regulations, so they are familiar with the act.

Section 9 agreed to.

Section 10 agreed to.

On section 11:

The Deputy Chairman: Hon. Mr. Snow moves that section 11(1) of Bill 93 be amended by adding thereto the following clause:

"(o) requiring persons having charge, management or control of dangerous goods escaping a container, packaging or a vehicle on a highway to report the occurrence to a designated person, designating the person to whom the report is to be made and prescribing the information to be included in the report and the manner of reporting."

Mr. Mancini: Mr. Chairman, I think this is a very good suggestion by the minister. If we are serious about controlling dangerous goods, we have to know when the spills occur. We have to have an orderly system of reporting and we have to have a person in charge. We have to have a person compiling files so that we know, if there are constant abusers of the system, exactly who they are and how these spills occur. Possibly, through the accumulation of this information, we could curtail other such problems which may arise in the future. We concur with the minister's amendment.

Mr. Samis: Mr. Speaker, we will support the amendment, as it closes a gap in the bill, through the whole reporting process. I would just ask the minister one question. Would he tell me how this amendment would apply, for instance, to a major industry that has a spill on private property? How is that handled? The amendment talks about a vehicle on a highway, but do big companies like Inco, Stelco or Imperial Oil come under these provisions? Are there any provisions requiring them to notify a public authority about a spill of dangerous goods?

Hon. Mr. Snow: Not under this act, Mr. Chairman. There may be other acts of the Ministry of the Environment or federal acts that might require them, but this act relates only to the transportation of these goods on the highway.

Mr. Samis: Can the minister clarify whether the spills bill would encompass the situation I described?

Hon. Mr. Snow: I am not familiar with it. I could not say.

Motion agreed to.

Section 11, as amended, agreed to.

On section 12:

The Deputy Chairman: Mr. Samis moves, seconded by Mr. Mancini, that there be a new section 12(3) as follows:

"The minister shall, as soon as possible after the end of each year, prepare and cause to be laid before the Legislature a report on the administration and enforcement of this act for that year."

Mr. Samis: Mr. Chairman, this would be added to section 12 as a new subsection 3. The reason for the amendment is that the federal legislation does incorporate the principle of requiring an annual report. There was considerable debate in committee in the federal House on this.

I think this would be a very worthwhile way for the elected officials to know what charges have been laid over the course of year and how the act has been administered; this would give us a better handle on its administration. I realize the government has a fairly good handle, but I think this would provide for a more general reporting system for the public and the opposition, and would provide further information to the public as to how effectively the act is being enforced.

Mr. Mancini: Mr. Chairman, as you are already aware, I concur with the amendment being put forward by the member for Cornwall (Mr. Samis). We want to have a normal and regular opportunity, on a yearly basis, to review this section of the bill. We think it would be in the public's interest to have this information distributed. I know it is possibly going to take a little more bookkeeping effort on behalf of some of the minister's staff, but I think it would be worthwhile work.

Hon. Mr. Snow: Mr. Chairman, I have no objection to this amendment. We did not feel it was necessary to put that in the bill, because in the annual report of the ministry we report on the number of charges laid under all sections of the Highway Traffic Act. Under this act, we would be doing the same. The honourable members may be looking for something a little bit more in the way of a report, but I have no objection to the amendment and am prepared to accept it.

Motion agreed to.

Section 12, as amended, agreed to.

Sections 13 to 15, inclusive, agreed to.

Bill 93, as amended, reported.

12:40 p.m.

PUBLIC COMMERCIAL VEHICLES AMENDMENT ACT

Consideration of Bill 160, an Act to amend the Public Commercial Vehicles Act.

Section 1 agreed to.

On section 2:

Mr. Samis: I have a question, Mr. Chairman, on section 2(2)(g). There was some concern expressed by the Ontario Trucking Association about the fact that we are not restricting it to the people who actually own it; it is left wide open there. I was wondering if the minister would give us some explanation of the wording as it is. It leaves it fairly wide open as to who may transport wheat.

Hon. Mr. Snow: Mr. Chairman, I have fully explained that many times. Section 2(2)(g) is a recommendation of the Biggs report. As I explained previously, Ontario winter wheat is in theory the property of the Ontario Wheat Producers' Marketing Board, although it may be in the local co-operative elevator or a private elevator. It may have been paid for by that co-op or elevator and it may have to be shipped out. For all potential purposes, the farmer sold the wheat to, say, the local co-op, delivered it there, the co-op paid for it, but really it is only acting as an agent for the wheat board.

This would allow the co-ops to use their own trucks to move that wheat from their elevators to a shipping elevator or something of that type. Without this amendment, there is some doubt as to whether the elevators can use their own vehicles to haul what some would say was their own wheat but technically is not; it belongs to the wheat marketing board.

Mr. Mancini: Mr. Chairman, I concur with the section of the act the way it is written in the bill. I think it will make things a little easier for some of our farmers who are under tremendous pressure as a result of present economic conditions. If we can alleviate any of their problems in any way whatsoever without causing great disruption or damage to other sections of our society, I am afraid at this time I am going to have to concur entirely with the minister.

Section 2 agreed to.

On section 3:

The Deputy Chairman: Hon. Mr. Snow moves that section 4(a)(2) of the act, as set out in section 3 of the bill, be amended by inserting, after "licence" in the third line, "or freight forwarder's licence," and by adding at the end thereof, "or freight forwarder's licence."

Motion agreed to.

The Deputy Chairman: Mr. Samis moves that section 4(a)(5) of the act, as set out in section 3 of the bill, be amended by adding, after the word "certificate" in the third and fourth lines, the words "and that the fee for such a certificate be made the same as that charged to for-hire operators in this province."

Mr. Samis: Mr. Chairman, the purpose of the amendment is (1) to ensure that if we are to have intercorporate trucking, those engaged in it will be paying the same rates as those who are in the for-hire business and (2) to provide an added source of revenue for the province. If intercorporate trucking becomes extremely popular or common, it will provide more than a minuscule amount. I think the Treasurer (Mr. F. S. Miller), having a deficit of \$1.5 billion, would appreciate this initiative.

Mr. Mancini: Mr. Chairman, I sincerely hope the minister will agree to have section 3(5) amended as has been suggested by the member for Cornwall. The honourable member and I met a short time ago to discuss this particular amendment. Mr. Chairman, you may have seen today's Toronto Star where the member for Cornwall mentioned that possibly two parties of the Legislature could get together and work on a mutual basis for the betterment of the people of Ontario. This is just an example of how that process could work.

We have discussed this amendment, and I have to put on the record that I understand why we need intercorporate trucking, but I am not enthusiastic about intercorporate trucking. I know this matter is going to be reviewed over the next few months, and we will be provided with some information as to how this intercorporate trucking is affecting the basic trucking industry in this province. We are trying to make the law more equitable here.

The Ontario Trucking Association and its members, to receive a licence to haul goods across the province, have to go through a very complicated procedure. It takes quite a bit of time. It costs an awful lot of money, and they have to pay a fee for the licence once it is issued.

We feel that the people involved in intercorporate trucking are not going to have to spend quite as much time, nor are they going to have to spend quite as much money, to be allowed the privilege of intercorporate trucking. The very least that should happen, to make the system seem fairer and equitable, is that they should pay for the certificate.

I concur with the member for Cornwall that

we are short of dollars. We are going to be running a huge deficit, and this is one way of attracting money to the Treasury.

Hon. Mr. Snow: Mr. Speaker, I am not prepared to consider this amendment. We are not licensing these companies to carry on any kind of trucking for compensation. What this section of the bill does is provide for an exemption of the Public Commercial Vehicles Act for the movement of goods. This is private carriage.

We are not giving these companies a licence to go out and haul goods for hire, or for any specific route, or any specific product. What we are doing is giving companies, where they are related and where there is a 90 per cent minimum interest, the opportunity to better utilize their equipment to be better able to compete with their American counterparts who have this type of legislation.

The whole matter will be reviewed by the PCV Act review committee, and the whole matter of PCV fees is under review at this time. I am not prepared to accept an amendment that would charge the PCV fee for these certificates.

Mr. Mancini: Mr. Chairman, it should be placed on the record that intercorporate trucking is giving a privilege to corporations, with the passage of this bill at this time, that they did not previously have. That is a very clear point. They are going to be allowed to hold a certificate which will allow them to carry on certain trucking activities which, by law, were not afforded to them prior to the introduction and the passage of this bill. I speak as if the bill is already passed, but it will be passed shortly. The very least the minister could do is set up a system whereby they pay for the administrative costs of the certificate.

12:50 p.m.

The minister just moved this past year to eliminate preferential licence fees on all the vehicles owned by the municipalities across Ontario. He did that, and I wrote him a letter. I got a response from the Treasurer, saying this was being done because the Treasury needed more money and the municipalities were getting away for a mere pittance of the real cost of being able to have these vehicles on the road. Yet when it comes to corporations being asked to pay for a certificate, which everybody else has to pay for, the minister says: "Well, we are reviewing the matter and, until then, I am not prepared to charge them." That is not a very good reason.

Mr. Samis: Mr. Chairman, I would like to express my regret about the fact that the minister will not accept this amendment because, as my colleague has said, first of all the intercorporate people are now getting something they have never had before and, in effect, we are not really making them pay for it.

Second, it puts the for-hire carriers at somewhat of a disadvantage, because obviously they have to pay the full shot, whereas the intercorporate people will be getting off virtually scot-free in comparison in terms of dollars and cents.

Third, if we have a complete review to be finalized in the next 16 to 18 months, why not impose this to see what sort of revenue it does bring in, if we are going to devise a permanent program in 1983.

Fourth, I am just surprised that this minister would not be willing to help out his colleague the Treasurer to accumulate more funds to pay for various government programs and to put a slight dent into that huge deficit he has to contend with.

The Deputy Chairman: All those in favour of Mr. Samis's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 3, as amended, agreed to.

On section 4:

The Deputy Chairman: Mr. Samis moves that section 4(9) be amended by changing the wording of the first line from "Every operating licence authorizes the holder thereof..." to "Every carrier licence to move bulk fertilizer be authorized to..."

Mr. Samis: Mr. Chairman, very briefly, the intent of the amendment is to deal with the obvious problem in the whole question of transporting fertilizer in Ontario, especially in the spring months.

I think the farming industry and the trucking industry, as well as the ministry, recognize that problem. This section does make an attempt to deal with that problem. However, it is the opinion of some that the essence of the problem is not so much the number of trucks or carriers available to move the fertilizer but the problems of storage and distribution and some of the inefficiencies contained therein.

While I would commend the minister for eliminating restrictions on the carriers, the intent of this amendment is to restrict it to the existing carriers to see how it works out. If that

does not work out, then obviously a further change is needed. Otherwise, we would have all sorts of people moving into the field, and it is a feeling of some that this would only compound the problem of inefficiency, lineups, waiting and all sorts of things of that sort at the storage and distribution facilities.

The intent of the amendment is to restrict it to the carriers we now have, to see if they can work out the problem in view of the changes in section 4, rather than the change proposed by the minister.

Hon. Mr. Snow: Mr. Chairman, I will be voting against this amendment. I am not prepared to accept it. This whole matter has been discussed thoroughly, and we feel the section should stand.

The Deputy Chairman: All those in favour of section 4 remaining part of the bill will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 4 agreed to.

On section 5:

The Deputy Chairman: Mr. Samis moves that section 5 of the bill be amended by inserting the words "if required" after the word "jurisdictions" in line seven.

Mr. Samis: Mr. Chairman, this amendment is to deal with situations involving certain carriers, especially when we are talking about trade between Ontario and Michigan. It is my understanding that certain licensing requirements are radically different from Ontario's. For example, no licence is actually required for fruit and vegetables. Just adding those two words would facilitate the whole process of reciprocity for that segment of the trucking industry. It is something the Ontario Trucking Association has recommended.

Hon. Mr. Snow: Mr. Chairman, it is difficult to give an immediate response to adding two words to a bill. It seems rather innocuous, but my staff advise me that this is not required. There is no problem with the bill as it is.

Mr. Cassidy: Go on; accept it in the spirit of magnanimity at Christmas.

Hon. Mr. Snow: I accepted one from the member for Cornwall already.

Mr. Samis: Mr. Chairman, I do not think this amendment will cause any further problems. It is just to inject recognition of the actual situation into this section. I do not see where it complicates the minister's position or policy.

Mr. Cassidy: Mr. Chairman, the minister is obviously hesitating. He is on the verge of saying "yes" because he understands. It is clear that what has happened is the minister's officials are stuck and are saying, "We want it the way we want it". He is the politician. He is the fellow who is meant to call the shots. The minister should not let those bureaucrats push him around. Let him make a decision and give the member his amendment.

Hon. Mr. Snow: At least I am a politician. I would not say that about the member for Ottawa Centre, who just spoke.

The Deputy Chairman: I ask that we speak to the bill.

Hon. Mr. Snow: Mr. Chairman, this section only applies to the class of wide licences and is connected with the Interstate Commerce Commission licensing in the United States. There is no need for this amendment.

The Deputy Chairman: All those in favour of Mr. Samis's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 5 agreed to.

Sections 6 to 10, inclusive, agreed to.

On section 11:

1 p.m.

The Deputy Chairman: Hon. Mr. Snow moves that clause 31(a) of the act as set out in section 11 of the bill be amended by inserting after "certificate," "or a copy hereof."

Mr. Mancini: It is strictly housekeeping. We will be glad to support it.

Mr. Samis: There is no problem for our party. Motion agreed to.

The Deputy Chairman: Any further comments on section 11?

Section 11, as amended, agreed to.

The Deputy Chairman: Does anyone have any points to raise on any further sections?

Sections 12 to 17, inclusive, agreed to.

Bill 160, as amended, reported.

Mr. Mancini: Last night, when we were completing our estimates for the Ministry of Transportation and Communications, there were quite a few disruptions in the committee. Things were going on, the hour was quite late and I did

not get a chance to wish the minister and his staff a very merry Christmas. I would like to do it now.

The Deputy Chairman: That was the nicest thing.

Mr. Samis: I cannot let that go by without joining in this festive spirit. In the dying hours of this session, somehow this place takes on an absolutely bizzare character. I want to join with my colleague. This is not necessarily, for the member for Brant-Oxford-Norfolk, a further manifestation of some of my ideas on the Ontario Legislature and how it should work.

Mr. Nixon: I like your ideas.

Mr. Samis: I know you do. I do want to extend congratulations and best wishes for the festive season. I hope the minister will take to heart the suggestion made last night about the next convention and the two critics.

Hon. Mr. Snow: On behalf of my staff, I accept the wishes for a merry Christmas from everyone except the honourable leader of the third party who has made terrible remarks about my staff and my bureaucrats. I do not accept them.

Mr. Cassidy: On a point of order, Mr. Chairman: I do not share the minister's selective sense of the world. I would like to wish the minister a happy Christmas and a happy new year. Maybe he can spend some time over on this side of the House for a change after too many years on that side.

Mr. Samis: The member referred to disruptions last night. I should say they were of a rather jocular nature as opposed to some other disruptions we heard of. The minister did inject a unique flavour or aroma to the room last night which some of us did appreciate, although some members, I suspect, did not.

On motion by Hon. Mr. Wells, the committee of the whole House reported some bills with certain amendments.

THIRD READINGS

The following bills were given third reading on motion:

Bill 2, An Act to amend the Toronto Area Transit Operating Authority Act.

Bill 53, An Act to amend the Public Transportation and Highway Improvement Act.

Bill 93, Dangerous Goods Transportation Act.

Bill 160, An Act to amend the Public Commercial Vehicles Act.

GLOBAL NATURAL RESOURCES LIMITED TRUST ACT

Mr. Treleaven, on behalf of Mr. Rotenberg, moved second reading of Bill Pr21, An Act respecting the Trusteeship of the Balance Share Warrant of Global Natural Resources Limited.

Motion agreed to.

Third reading also agreed to on motion.

CONCURRENCE IN SUPPLY

Resolutions for supply for the following ministry and provincial secretariat were concurred in by the House:

Ministry of the Solicitor General;

Provincial Secretariat for Justice Policy.

CONCURRENCE IN SUPPLY, MINISTRY OF THE ATTORNEY GENERAL

Mr. Renwick: Mr. Speaker, I have two brief matters I would like to deal with on the concurrence motion. I hold no brief for any of the advocates one way or the other nor do I hold positions with respect to them, but I would ask the Attorney General (Mr. McMurtry) to give consideration to taking an objective and detached view about the two matters I want to raise. He need not reply today.

The first one is in connection with the request by a large number of people to the Attorney General that there should be a public inquiry into the allegation of 16 instances of serious misconduct by members of the Metropolitan Toronto Police against members of the public. I have tried to follow this matter since it first arose and I believe some of the instances were presented before the committee dealing with Bill 68 in a very proper, objective and concise way in certain of the evidence.

In any event, since the development of the issue and the concerns that have been expressed about it, I would ask the Attorney General to consider again the request for a public inquiry. I think it would accomplish two results. First, it would allay a significant area of public concern about the activities of the police as to events preceding the appointment of the police complaints commissioner. Second, I think it would be an extremely valuable process for Sidney Linden to have going along as he begins his work as police complaints commissioner.

It seems to me it would be unfortunate if the work of the police complaints commissioner should be muddled at the beginning by these allegations, rather than permitting him to go about his business in his new office untrammelled

by these historical incidents. Without being too legalistic about it, I share the concern of those interested in this problem. The Solicitor General, the police commission and the public complaints commissioner are all under a misconception if they believe the complaints presented to the police commission can be dealt with and resolved by the public complaints commissioner without the consent of the complainants.

1:10 p.m.

Bill 68 does not empower the public complaints commissioner to do anything with respect to a specific complaint unless that complaint is made by a member of the public to the police complaints bureau or the public complaints commissioner. A complaint made to the police commission cannot confer any jurisdiction upon the public complaints commissioner. Therefore, any attempt by the public complaints commissioner to conduct an inquiry or order a hearing into a complaint made to the police commission would likely be illegal, or beyond his jurisdiction, which is probably a more accurate way of expressing it.

I would, therefore, seriously ask the Attorney General to review the request objectively, detached from all the emotions and feelings involved in its inception, and detached from whether he agrees or disagrees with the establishment of the citizens' independent review of police activities. I do believe a public inquiry into these instances, whatever the result would be, would establish a sense of confidence so that the new process, despite the fact we have significant differences about it, could go on on its own. Otherwise, I am afraid that whatever good will come out of Bill 68 will be significantly hurt in the eyes of the public simply because of this. I ask the Attorney General to take that into consideration.

The second matter I wish to deal with is the Praxis matter, detailed summary number 28 of the McDonald commission report, volume 3. The minister knows I raised this matter in his estimates and that Mr. McLeod, when he responded to me, referred to the minister's statement, on May 23, 1978, about this matter in this assembly. That statement was the basis on which earlier this year, in January I believe, the stay of proceedings in this matter was entered by the Attorney General.

I have read and reread the statement. I have discussed the matter with Mr. Paul Copeland at some length. I share his concern that the statement was not particularly responsive to the

reasons why the possession—and I emphasize “possession”—by the Royal Canadian Mounted Police of the documents that were stolen from the Praxis Corporation did not give rise to charges being laid by the crown itself. I am concerned about the reasons why the crown saw fit to stay the proceedings when the private citizen involved decided to try to proceed to lay an information through a justice of the peace.

I am aware that leave has now been granted in the Supreme Court of Canada on the application dealing with the matter. I do not think it is a question of being sub judice. It is a question of the meaning of a particular stay of proceedings' provision of the code. But I would again ask the minister if he would not see fit to make a further statement on the question of why, in his view, there are no grounds on which a charge of possession of stolen property should not be laid. It would be laid at the present time against unnamed people, because I do not know their names or in what circumstances it should take place.

I do not know whether it is because there is insufficient evidence, which would be one way of dealing with the matter. I do not know whether it is a question of prosecutorial discretion that the minister is exercising in the matter. I do not know whether it is a question of the actual possession of those documents, coupled with what appears on the documents that were returned seven years later to the Praxis Corporation, notations indicating that they may well have been used by the RCMP.

In any event, whatever the technical ingredients of the charge of possession, I find the minister's statement inadequate, particularly those portions dealing with the question of possession and the reference in summary number 28 in the McDonald commission report. Reading and rereading the statement leads me to believe a further statement by the minister is required in this instance. It is required if he is insisting that the stay of proceedings is forever in that matter, rather than that the matter should proceed in the ordinary way to a free inquiry before a justice of the peace to determine whether or not charges should finally be laid.

At this time I would hope the Attorney General would see fit to reconsider that question, with a view to providing the public with a better statement than the statement given in this assembly some time ago. Those are the only two matters I wanted to raise on the concurrence motions. On the other issues which I raised

during the estimates, and which were not answered quite properly and appropriately, I will deal with the ministry by correspondence over the next several weeks.

Resolution concurred in.

CONCURRENCE IN SUPPLY, PROVINCIAL SECRETARIAT FOR RESOURCES DEVELOPMENT

Mr. J. A. Reed: Mr. Speaker, I realize it is late in the session, but I have a couple of questions I think are worth asking the Provincial Secretary for Resources Development because his ministry is the umbrella ministry which covers both energy and natural resources.

I wonder if the secretary would table or communicate publicly the answer in the near future to a question I am about to ask him, understanding, first of all, that the Ministry of Natural Resources and Hydro are either about to or are engaging in some talks concerning water rentals. I am sure the minister is aware of what water rentals are. That is money paid to the government by Ontario Hydro in return for the use of the water or for putting the water through generating turbines.

I wonder if the minister will be able to state categorically, at some time, just how high new water rentals will be and whether the revenue from those increases will be used to pay for the purchase of Suncor. If this turns out to be true it would mean that electric power consumers in Ontario would be asked to purchase an oil company.

I hope the answer the minister will table, if he will agree to table an answer to that question, will be in the negative, but I think he should certainly be made aware that those water rentals are about to be or are in the midst of being renegotiated.

Hon. Mr. Ramsay: Mr. Speaker, I will be happy to look into that, and I will table a response as requested.

Mr. Wildman: Thank you, Mr. Speaker. I have a very short question for the minister in his role as minister responsible for native affairs. It has come to my knowledge this morning that apparently the director of public relations and corporate affairs for Woolco, a Mr. Keith Elliott I believe, has sent a directive to Woolco stores in this province advising them to no longer accept treaty cards from status Indians who are purchasing articles in those stores, so that they will no longer be exempt from paying the sales tax.

Apparently the director has confused treaty card exemption with the campaign being carried on by a group in the province opposed to sales tax. I understand there is a group centred in Peterborough that is protesting sales tax by saying its members are not going to pay it. Apparently, this director has confused that with treaty card exemption and has issued a directive against the acceptance of treaty cards.

While this only affects one set of stores, the Indian people are concerned that if this is allowed to continue with Woolco, it might spread to some other retail outlets in the province.

1:20 p.m.

Mr. Ramsay: Mr. Speaker, I appreciate that being brought to my attention. That is new to me and I will look into it as soon as I get back to my office.

Resolution concurred in.

HIGHWAY TRAFFIC AMENDMENT ACT

Resuming the adjourned debate on the motion for third reading of Bill 178, An Act to amend the Highway Traffic Act.

Mr. Renwick: Mr. Speaker, I just have a brief, non-provocative comment to make. Fortunately, I believe, I was absent from the assembly last evening when the debate took place. I am pleased the principle of the bill has permitted the Liberal Party to finally adhere to it and to accept it. I think the bill is a wise and beneficial move by this assembly in a very difficult and controversial field, as it touches many people's feelings quite deeply.

The three amendments on the bill that were passed in the committee met, in a very real substance, certain concerns which I stressed on second reading of the bill. I am glad the Liberal Party sent it out to the committee. I appreciated the co-operation and the assistance the committee had from staff members of the Ministry of the Solicitor General, and particularly the illuminating information from Mr. Lucas of the Centre of Forensic Science. It will be an important and valuable contribution and is one which could not have been made had we simply gone to committee of the whole House on that bill.

I am pleased the bill is now in satisfactory form and on behalf of our caucus, I just wanted to record that I think it is one of the most beneficial pieces of legislation we have had the opportunity to be associated with.

Hon. Mr. McMurtry: I would like to conclude the debate by saying I am grateful for the support and participation of all members, particularly those who participated in the debate in the justice committee. I think it was a very useful discussion, and there is no question the legislation is better as a result of this process. The debate and the support the legislation is now receiving would indicate that all members regard this issue as a matter of considerable importance.

I do not think there is any question the tragedy reflected day in and day out by the grim highway statistics probably represents the number one social problem facing the community today. While there may be some differences of opinion from time to time as to how we may best reduce the carnage on the highways, there is no question in my mind that all members are committed to this goal. I hope that the issue of highway safety will continue to receive a very high priority from all members of the Legislature.

In my opening remarks, I referred to the very important work that had been done by the select committee on highway safety in 1977. I hope this would be an ongoing commitment of not just members of the select committee but of all members. There is no question but that this legislation is an important initiative, but at the same time we recognize, as was said in committee yesterday, that this does not represent any panacea.

At best we can hope to reduce the carnage on the highways, particularly that related to alcohol abuse, probably only slightly; but obviously, if it is a slight reduction, including the saving of lives and the avoidance of terrible injuries, it will have made this initiative really very worthwhile. In relation to the review I had undertaken on behalf of the government, I think the legislation to be given by the justice committee before the end of 1982 will be another important opportunity, not just to review the working of this legislation but also to consider again the problem of highway safety, and particularly the problems related to alcohol abuse on our highways.

Mr. Speaker, before concluding my remarks, I would like to read into the record a very sad, very pathetic, but very moving letter that was written to the Premier (Mr. Davis) of this province some time ago. For reasons I do not know it did not reach his office until October of this year. It deals with the RIDE, reduce impaired driving everywhere, program. It deals

with the initiatives this legislation does provide a framework for, and of course it is very relevant to this legislation. This very tragic letter requests that the Premier encourage the introduction of such legislation. It reads as follows:

"Dear Premier Davis: I am Gerald Riosa. I am in grade four now. My parents were in an accident last December 12. My mother, Bernadette Riosa, was killed. My father, George Riosa is still in critical condition at Sunnybrook Hospital and he is still sleeping since the accident happened.

"My sister and I would like it if you would bring back the spot checking of cars once more to avoid accidents like what my dad and mom was in. They were bumped by a drunk driver. A judge said it is illegal to spot check people but if nobody will bother to check drunk people from driving, accidents will never be less and many children will be like my sister, Faye, and me.

"I hope you will give this letter a little of your time and do something about spot checking. Gerald A. Riosa."

I think in passing this legislation the members of the Legislature are keeping faith with this young man and are demonstrating our commitment to prevent the tragedies that occur virtually every day of the week.

I reiterate this is not going to solve the problem of alcohol abuse on the highways, but if it does, as the member for Riverdale very eloquently stated the other day, prevent even one tragedy like young Gerald refers to, it has been well worth while.

Mr. Speaker: Shall the motion carry?

All those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

1:30 p.m.

BUDGET DEBATE (concluded)

Resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

Mr. Cassidy: Mr. Speaker, I have a few comments to make about the amendment to the amendment and also, since this is my last speech as leader in the Legislature, I have some comments to make which touch on the session, which touch on the last four years and which to some extent touch on the record of the govern-

ment in the 10 years and a couple of months since I became a member of the Legislature for the great riding of Ottawa Centre.

I think some members have already heard I have indicated quite clearly that I intend to stay on in this Legislature as a private member and as a back-bencher. I am working in order to try to ensure that the transition to our new leader, whoever that may be, will be smooth and rapid and that whatever knowledge of the province I have gained in the period I have been leader I can pass on to my successor.

I wish well to the member for Hamilton West (Mr. Smith)—I will repeat this when he comes in—a man who has been in the Legislature for a shorter time than I, but a man who has served the province hard and well by his lights. He has sought to accomplish a task which has defeated many other leaders, both of his party and of my party, over the course of the last 38 years. Both of us know this is not an easy province for an opposition party and both of us know that the Conservatives have been fortunate to have faced a divided opposition, because never in 38 years have they actually won a majority of the votes cast in Ontario, let alone a majority of all of the eligible voters.

The member for Hamilton West may not be back with us when we return in March and to some extent I regret that. I know the contribution which has been made to the life of this Legislature, both by the member for York South (Mr. MacDonald) and by the member for Brant-Oxford-Norfolk (Mr. Nixon), has been a considerable one. I think the wisdom and knowledge of the province and knowledge of the politics of the province which they have contributed has been valuable in a Legislature which too often has too little sense of history.

I depart as leader, and I depart this session, with some sense of disappointment and sadness and some sense of melancholy and it is not entirely a personal kind of thing. I sought to do things within the party and within the province. I succeeded at some in terms of pointing the direction, not just of my party but also of the other parties in this House, to the economic issues which I could see back in the mid-1970s were of enormous importance, of crucial importance for all of the people we represent in Ontario.

I believe one of the reasons the last election was fought on economic issues and one of the reasons the government decided to bring in the BILD program was because of the kinds of programs which the New Democratic Party has

been developing and putting forward in a very positive way under my leadership in the last three or four years.

When I say I am staying on it is because the New Democratic Party, which is a democratic socialist party, is a movement and a party which has a great tradition, not just in this province but in this country and across the world in the democratic nations. In fact, as the recent events in Poland have indicated, our ideals which we have sought to achieve in this province, the ideal of freedom, the ideal of equality, the ideal of human rights, are ideals which move people behind the Iron Curtain as well.

I have gone home every night this week and watched the television anxiously, hopefully, hoping against hope that somehow the workers of Poland could triumph against the repression of both the Communist Party and also of the military which has taken power.

Since the member for Hamilton West has just come in, I will repeat what I had to say before in terms of tribute to his effective leadership of his party. I suspect his party may be making a mistake in making it difficult for him to stay on. I suspect his efforts to try to bridge the centre and try to reach out as a populist and as a somewhat left-of-centre Liberal, perhaps were the wisest courses for his party. Perhaps, in terms of the Liberal Party, it is too bad the Liberal Party as a whole was not able to appreciate that course of action was a wiser one than to retreat into right-wing reaction, the likely consequence of their convention in February.

[Applause].

I notice the member for Kitchener-Wilmot (Mr. Sweeney) applauding the retreat into right-wing reaction. I am sorry, I hope he was, in fact, applauding the member for Hamilton West.

I will repeat, as a tribute to him, he has served this province according to his lights and he has worked very hard. Only he and I know how hard opposition leaders work. It is a lot harder, I suspect, than the honourable members on the government side, although, to give them their due, a lot of politicians on all sides work hard and their work is often unsung or unknown to the media or to many members of the public.

My party was created back in the 1930s. The other day I was looking at the manifesto adopted by my party in Regina, a manifesto which my father, Harry Cassidy, was instrumental in creating. The Co-operative Commonwealth Federation was a bringing together of

farmers, workers, teachers and intellectuals who felt that things had to change fundamentally, that the principles of the economic system had to be subjugated to the needs of people, and not that the economy should come first or that profit should come first. The needs of people, we said then and we say now, should come first, ahead of the needs of private profit.

Those principles are as true today as they were in the 1930s. Given what we face over the coming years, I suspect we are now seeing a repeat in the 1980s of some of the feelings of revulsion at the way governments proceed and the way they embrace archaic economic concepts and ignore the needs of ordinary people.

I believe in the ideals that brought my party together back in the 1930s. And I believe—I have seen it across the world, I have seen it in this province as well—in the way my party has overcome adversity, representing working people of this province and of this country, how it has been able to bounce back and come back again and again, and I believe that is happening and will happen for the New Democrats in Ontario as well.

I have had a chance in the last four years to travel to every corner of Ontario. I have yet to go to Woodstock and to Sioux Lookout, but I believe those are the only two communities with a population of more than 250 that I have yet to visit. I will make up for that in the spring. Travel cannot help but change one. It cannot help but impress one with the enormous diversity of this province, the forests in the Canadian shield in the north, the vivid ethnic communities of Ottawa, Toronto and Windsor, the misery, the glory, the beauty.

Coming down the road from Godin Lake to Thunder Bay on a beautiful winter's night, I thought there is no other place in the world that I would like to be or like to come home to than Ontario. Northern Ontario has now become a part of me in the way it never was when I was just the member for Ottawa Centre. I have had a chance to learn about the north and learn about some of the things that make this province great.

I spent time on the back roads of Lanark county, a county in eastern Ontario that has always been dear to me. That is a part of our heritage as well. I am still moved by a dream of what this province can be: the resources that we have, not just natural resources but also human resources; the education we have been able to have; the technology which we are masters of; the political system through which, for all of our

disagreements with the Conservatives in this province and with the Liberals in Ottawa, none the less, we share a political system which, let us face it, is a hell of a lot better than most systems under which most people have to live in most parts of the world.

My dream is to see the potential of this province achieved, not just for those who are rich and powerful, not just for those who are fortunate enough to have a fine education as one can still occasionally get in the province, but for the people living in LeBreton Flats, in Rochester Heights, in Dalhousie ward and elsewhere in my riding, for the old people who used to live in rooming houses down the street from my home on Waverley Street and their counterparts in Parkdale, their counterparts in certain sections of Windsor and in isolated native Indian communities in northern Ontario.

I want to see equality and justice for those people as well in Ontario. That has moved me as a democratic Socialist for the 10 years I have been in politics, and it is one of the reasons I intend to stay in this place for a while in order to see whether those ideals cannot still be achieved so we can build a base in order to ensure that a New Democratic government can be elected in this province and we can start to put those ideals into practice.

Some people say there is such a fundamental flaw in our politics in this province that the opposition will always be divided between the Liberal Party, essentially on the right wing of the spectrum, and the New Democrats on the left, that the Conservatives will always be masters of the centre and be able to swing a bit to the left or a bit to the right in order to continue hanging on to power indefinitely.

1:40 p.m.

I want to warn the Conservatives that power, even after 38 years, is not an indefinite right or an indefinite privilege. The Conservatives do not have a perpetual lease on power in this province. Our party is on the move again. We became the official opposition in 1943; we were set back in 1945. We became the official opposition again in 1948; we were set back, to the point of almost disappearing, during the Cold War era of the 1950s. We came back from that to form the official opposition in this province in 1975.

When one considers that the member for Rainy River (Mr. T. P. Reid) is the only provincial Liberal member between the Bruce Peninsula and Vancouver Island, when one considers there is not a single sitting Liberal

member in any provincial legislature west of Ontario, one has to say that when a decision is finally made by the people in this province around which party to polarize as the alternative to the Progressive Conservative Party, the situation here will be the same as in Manitoba.

It will be the same as the decision was in Saskatchewan; it will be the same as has occurred in British Columbia; it will be the same as will occur in Alberta, where the Socreds are now a rural rump soon to disappear and it will be the New Democratic Party confronting the Conservatives. After that, it will be the New Democrats who come to power.

Any leader likes to think he has tried to accomplish a few things. Obviously, I have failed to accomplish what I had hoped in terms of leading our party this time into official opposition or into power. On the other hand, I give to my successor, whether it is the member for Port Arthur (Mr. Foulds), the member for Scarborough West (Mr. R. F. Johnston) or Bob Rae, a party which is strong and growing, which is not just capable of recovery but is demonstrating that capability; a party which is rejuvenating and renewing itself; a party which, for the first time since 1966 and 1967, is expanding its base in terms of membership and money; a party which is showing enormously vital interests in terms of involvement in the 1982 municipal elections.

I give to the members for Scarborough West and Port Arthur or to Bob Rae, a party which in the last four years has mastered, as we had not for many years, the problems of what is going wrong in the economy of Ontario. That has not just been mine; that has been an accomplishment of all members of the New Democratic Party and of our friends and affiliates in the trade union movement.

Over that period we have been able to project an alternative industrial strategy that would get this province on its feet and start to cure some of the problems that have been created over so many years of Conservative rule.

What we said in the last election was true. We may have been a bit ahead of our time, because back in that election people still did not quite grasp what was happening in the economy of Ontario. The member for Hamilton West will attest to that as well. I see from the Conference Board of Canada that his predictions about Ontario's being tenth and last in terms of economic growth are now predicted for 1982 with the authority of the conference board. Dismal economic growth is anticipated. That

has a meaning in terms of what that does for the working people of this province I represent and for whom I sought to form a government in Ontario.

That is the legacy I leave. I believe the New Democratic Party is poised to move forward while the Liberal Party, whether they choose the member for London Centre (Mr. Peterson), or I would suggest that perhaps the member for Kitchener (Mr. Breithaupt) has learned enough about this province and has some fire in his belly, perhaps a bit more than the member for London Centre will ever have no matter how many years he happens to lead his party. But that is beside the point; the fact is that the New Democratic Party is on the way back and I am proud to leave a legacy like that to my successor, even though I was not able to do it myself.

I think perhaps those six years of minority government blurred the issues and, therefore, helped the Conservatives to hang on to power but that those issues are becoming clearer now.

Even the Chinese eventually realized that they could not go on forever with Chairman Mao. This province cannot go on forever with Chairman Bill either.

Mr. Martel: He's becoming a Socialist.

Mr. Cassidy: My colleague from Sudbury East says the Premier (Mr. Davis) is becoming a Socialist. I accused him the other day of being a crypto-Socialist.

Mr. Foulds: No, no, you go too far. He doesn't have a principle—

Mr. Cassidy: That is right. One of the reasons the Premier has been successful—and for all my differences with him I acknowledge that he has been a successful politician in terms of electoral support—is because he has had the suppleness and flexibility that is either based on being a red Tory, which I doubt, or, I believe more likely, that is based on pragmatism carried to its extreme and the fact that he is a total stranger to any political principles as far as being a Conservative is concerned.

There are within the Conservative caucus, by my count, perhaps only four or five other Tories who are, by any stretch of the imagination, red Tories or who display that kind of suppleness and absence of principle. I asked Colin Vaughan from CITY-TV last night if he could name five red Tories, and after about 20 minutes he managed to get a list together. It is as hard as that. He mentioned the member for St. George (Ms. Fish), the Minister of Energy (Mr. Welch),

the Minister of Labour (Mr. Elgie), the Minister of Industry and Tourism (Mr. Grossman) and the Premier himself.

An hon. member: That's two too many.

Mr. Cassidy: That is perhaps two too many. The fact is that unless the Conservatives can get a new leader who has that kind of suppleness and flexibility and pragmatism, they will take the kind of right-wing line one gets from the Minister of Consumer and Commercial Relations (Mr. Walker), the architect of sunset laws who wants to sunset this entire province if he has his way; or the Minister of Education (Miss Stephenson), the only minister who is completely oblivious to truth and falsehood in the entire Conservative caucus; or the Treasurer (Mr. F. S. Miller), genial Frank, who, if the parliament buildings were burning down, would say how nice it was to toast his feet in front of a fire; or the Attorney General (Mr. McMurtry), a leadership contender, a man so blinded by his concern to serve all the interests of the police in this province, right or wrong, that he has totally abdicated any of the other responsibilities he bears in terms of being the chief defender of civil rights in the province; or the Minister of Natural Resources (Mr. Pope), who has treated this House to a display of juvenile blustering all the time he has been a minister such as I have not seen in 10 years; or the Minister of the Environment (Mr. Norton), originally thought of as a red Tory when he came into this place, who seems to be dissolving in a sea of environmental mush.

It seems to me those are the contenders for the mantle of leadership and the Conservative Party will not be able to carry on, as the Premier has, with one of those people. Not only that, that party has invested a great deal in the Premier. It has invested so much and put it all on one man. It sold him like soap during the course of the election campaign. It happened to work this time, partly because of the unfair election laws we have in the province. We are selecting a new leader, and the other day at our provincial council meeting I warned my party that one man alone cannot turn it around for the New Democrats. In the same way, one man alone as Premier obviously cannot turn this province around and the Tories had better learn that lesson.

I would add something else about the qualities that have been brought to Ontario politics by the Premier and his party, particularly since the minority government situation ended. We helped to humanize the Tories and that is one of

the reasons we perhaps helped, and perhaps the leader of the Liberal Party helped as well, to give a majority back to the Conservatives on March 19, 1981.

We helped to humanize them because we were here in opposition, at times with and at times not with the other party, and we kept the Tories from fulfilling or implementing their baser instincts, their own worst instincts. It is now clear the Conservatives have learned nothing and forgotten nothing from the bad old days prior to 1975. I have never seen such displays of arrogance and contempt by the government as we have seen in the last few months, except that it reminds me of the days when Eric Winkler was the House leader and I was a back-bencher.

Mr. Foulds: Ugh.

Mr. Cassidy: My colleague from Port Arthur remembers that time. The Premier does not seem to understand the importance of this institution, of this Parliament. I was born in Canada and happen to have enormous regard for the parliamentary system. As a political scientist, I studied other systems of government—the systems in America and continental Europe. Frankly, if there is any system I would rather work under, it is the parliamentary system. I think it is supple, I think it is flexible, it is capable, as we proved in this country and the British proved during the early 1940s, of responding to the challenges of war and other crises. It has a tremendous amount going for it. As well, it has 1,000 years of tradition.

1:50 p.m.

I said earlier that whatever our differences we are united in this province in terms of endorsing the principles of a parliamentary democracy. Those have been confirmed in the constitution which will be coming home shortly from Westminster.

But then we sit here and look at the way it is abused by the Premier and by his colleagues. Look at their failure in terms of understanding why it is important to have an informed electorate and the refusal to bring in freedom of information which has once again been rejected.

Look at the way the government has continued to treat the administration of this Legislature on a partisan basis despite the fact that, during the minority situation, we thought we had got somewhere in terms of getting the independence of the Legislature confirmed.

Look at the way the Speakership was handed out last March; the last crumb on the Premier's

table after he got down to appointing his Ministers without Portfolio. He decided at the very last minute and put the poor member for Peterborough (Mr. Turner) into a very unenviable situation. I and my party have come into conflict with the Speaker. We have come into conflict, but we did not put him there; the Premier put him there. The Premier abused the system in putting the man there in the first place and faced the Speaker with a situation which I suspect is completely untenable.

Mr. Martel: He had 48 hours to learn the job.

Mr. Cassidy: Forty-eight hours to learn the job.

Further, we have a partisan who has consistently leaned in favour of the government who happens to be the Clerk of the House. Mr. Lewis was born on July 2, 1911, according to the Parliamentary Guide. That makes him 70 now. I think that is past the mandatory age of retirement for every other public servant, and I suggest the rules that apply to other public servants should apply to him.

Mr. Speaker, let me give you another example. This week there was a vote in the Hamilton city council which I know was very disappointing for the Premier and for the Minister of Transportation and Communications (Mr. Snow). By an 18 to eight vote, the council decided it would not go along with having an Urban Transportation Development Corporation demonstration project in Hamilton. That is a disappointment for all of us in one sense because I have seen the UTDC train. It is a good concept. It is probably at the leading edge in terms of technology for rapid transit in the world, as we demonstrated by winning the contract out in Vancouver a few months ago.

But the fact that this government decided it would exploit that whole transit stuff for the field of transit for political purposes has permanently soured an awful lot of people across this province and, therefore, destroyed or undermined the credibility of the UTDC.

I was up at the Ontario Science Centre some years ago when the Krauss-Maffei scheme was announced. We were told one would ride for a nickel down by the Exhibition grounds because this was such great transit and it was so cheap. We were told they would have it in Ottawa and in Hamilton. Ottawa is building bus ways now and is not having any of it. Hamilton has decided not to have any of it either.

There were sordid or rather shallow political deals by which the UTDC project is going to be installed in Scarborough. The people of Scar-

borough will lose transit for a year and a half so the demonstration project can go forward to the town centre.

Down on the Lakeshore here, the government is pulling wires with Metropolitan council in order to get a UTDC system that the city of Toronto sees absolutely no need for.

Then when we go across the country or across the world to try to sell good technology, the government has to face the fact that the technology is only marginally accepted here in Ontario. Why is it marginally accepted? It is because the Tories, instead of doing something that was right, consistently sought to exploit that for their own cynical political purposes.

This fall we have been questioning the government again and again about whether or not it is going to keep the promise with respect to the Board of Industrial Leadership and Development program that was the centrepiece of the election campaign back in the spring. I recall back in January the emphasis that was made about how the BILD announcements would have Ontario embarked on a "massive industrial expansion program aimed at creating jobs." The government said then that the principal economic goals were to ensure growth and high job creation, and it called job creation an imperative of our economic policy and talked about strong job performance continuing to be delivered by the Tories.

This fall, of course, the anthem changed and the Premier said: "Oh no, we didn't mean that at all. It is a selective program. No, it is not to create jobs this winter. Whatever made you think we would have enough employment over the course of this winter? It is not a cure-all. It is specifically designed to deal with specific sectors. Do not think anything more of it than that."

When I asked today about Woodstock, he said: "Oh, did we not tell you? Woodstock was not covered." Neither was St. Thomas, neither was Chatham, neither was Windsor. Many communities across this province were completely ignored in the BILD program. We have brought the evidence here and the government simply shrugs its shoulders and says, "We have a majority and you guys can simply go and sit out in the cold for the next three or four years."

The record of this session shows what we have now is a Tory government exactly like the government we had prior to 1975. In the course of a few short months, the Conservatives have shown they are repeating the mistakes they made before 1975. Those mistakes led them to lose their majority in the election of 1975 and

the government is making the same mistakes, which will lead it to lose its majority in the election of 1985.

Be it recorded that not a word was said in the concurrence on the estimates of the Provincial Secretary for Social Development (Mrs. Birch). I know I digress but the reason is that not a word was said. Let me tell the provincial secretary, the reason nobody said anything is that in all the years she has been a minister in this government not once has she had a single substantive answer or done a single substantive thing on behalf of the people of Ontario.

We are facing the worst winter in 20 years in terms of unemployment. We may be facing a depression comparable to the one we had in the 1930s. A year ago, in November 1980, the government was prepared to bring in a mini-budget, which sought to get things going and create jobs over the course of the winter. This winter it did not do so.

Even you, Mr. Speaker, who sometimes wear a Conservative label—fortunately not when you are in the chair—would admit that the reason we had a mini-budget a year ago and did not have a mini-budget this year is that when elections loom the Tories get worried about the economy. When there is no election around, the Tories do not give a damn about the working people threatened by unemployment in Ontario.

Nothing could speak more to the priorities of this government than to see it speculating in the stock market in Suncor shares with a \$650 million program and not prepared to come up with one single dollar or one single program in order to help to create work this winter for the people all across the province who are faced with massive unemployment.

In Terrace Bay, the mill has had a disastrous fire. Close to 1,000 workers are now faced with a prolonged period of unemployment. The government could have come in with a program to get those workers working in the woods over the course of the winter and help to maintain jobs in that part of northern Ontario. Nothing was done. In southern Ontario, the housing industry is in a mess. Homes are not being built.

If the government built homes now, it would create jobs for construction workers. It would create needed accommodation for people who cannot get a place to live and it would create jobs for those workers in the sawmills up in northern Ontario, most all of whom are having prolonged periods of layoffs and of unemploy-

ment. But not this government. It has \$650 million for Suncor and not a thing for the working people of Ontario.

I want to say to you, Mr. Speaker, and I know when you are sitting in your seat you are a Conservative, that politicians can run dry. Being in office, being in government can be a draining experience. One starts to run out of ideas and to run out of stuff, to run out of energy, vitality and those kinds of things in reaching and reacting to the challenges that are there. That happened to the Schreyer government after eight years in Manitoba. The New Democratic Party took a rest for four years, elected a new leader and came back a few weeks ago in one of the most magnificent victories the NDP has ever had in its history.

2 p.m.

This is a government that has run dry in terms of ideas. We have been drifting in the course of this legislative session. The control of the legislative time basically has passed by abdication to the Leader of the Opposition (Mr. Smith), to myself and to the two opposition parties. We have set the agenda this fall because the government, faced with the worst economic and social crisis this province has known in a generation, has had no agenda of its own in terms of coming up with solutions.

Perhaps I should correct myself. The government has had an agenda, but its agenda was one it drew from Jerry Falwell, Jesse Helms and all the apostles of the new right in the United States as well as from Prime Minister Margaret Thatcher in Britain. It is clear that Thatcherism is backfiring. While it may be the Social Democrats rather than the Labour Party that takes over, whether it is Michael Foot or Shirley Williams, Britain is going to be a hell of a lot better off when the Tories go out and Margaret Thatcher passes to her just reward, which is perpetual opposition from now on.

I had a chance the other night to read an article in the Atlantic called "The Education of David Stockman," the young whiz kid who is the budget director for President Ronald Reagan and who came in at the beginning of this year. How disillusioned he is after only 10 or 11 months in office. He is now faced with a government that is going to have a budget deficit of perhaps \$100 billion, who knows? They looked at it and said, "It cannot be;" so they changed the computer programs to try to pretend something better would happen.

This government is the same way. They pretend something better is going to come

along, but they have no plans to achieve it. They have bought the nostrums of the neo-Conservatives, hook, line and sinker. They do not work in Britain, they are not working in the United States and they are not going to work in this country either.

Yet what happens? The Treasurer goes up to the federal Minister of Finance, Mr. MacEachen, and says: "Let us restore confidence by doing the same things as before. Let us give the loopholes back so that people earning \$200,000 a year can escape income tax once again." That is a principle I certainly cannot subscribe to. He does not even have the good grace to suggest that if there are going to be incentives, everybody in the country, including those people in the fast track making \$100,000 a year, have an obligation to contribute a certain minimum amount in taxes.

Why does he not say that, at a minimum, nobody in the upper-income brackets should get an incentive to bring his tax down to less than 20 or 25 per cent of what he earns so that everybody, and not just the working people, makes a contribution in terms of tax revenues to the needed things that we can only get through government here in Ontario and in Canada?

There was not a word from the Treasurer. He was mum as well with respect to the reduction of tax rates for high-salary earners from 65 per cent to 50 per cent. The Treasurer is prepared to cut taxes for the rich and not to cut taxes for people who are poor.

The Conservatives cannot come to grips with the problems of 6,000 people on the unemployment insurance rolls in Peterborough, thousands laid off in St. Thomas, Woodstock, Windsor, Chatham, Toronto and across the province; 300,000 unemployed in Ontario with even more people to lose their jobs in 1982. Even the Treasurer recognizes unemployment is going to go up, but he will not do anything about it. It is time they made way for the party that will.

That is why one of the things we have put forward over the course of the last few months and in the course of this budget debate is the need for an emergency program, a mini-budget such as there was a year ago prior to the election, that would come into force now.

I spoke to the NDP's task force on economic development a few weeks ago. I proposed that what Ontario should do is take the \$650 million we are spending on Suncor and use it for a four-point economic program that would include immediate programs to spur residential con-

struction to build affordable housing, and investment in the automobile sector through the creation of Auto-Canada, a crown corporation that would be designed to protect automobile jobs and to get a fair share for Ontario of auto production and parts.

It would implement the warm-up Ontario program for energy conservation which I proposed during the course of the election campaign. It would provide direct action to save farmers in the food industry by helping farmers with interest rates and with the costs of their own financial inputs. I think there is still time. If necessary, we could come back next week to see that program implemented in Ontario. I am ready, and I know my colleagues on the NDP benches are ready as well, because, by God, this province needs direct action now.

I said I wanted to look at the perspective over 10 years as well. We have had 10 years of shattered dreams and hopes under this administration. It is not just a matter of the last few months. We have had 10 years of inaction. We have had fiddling while our economy fell apart. Our social service system has been systematically cut back and our schools and universities starved.

When I came to this place in 1971, young people could look forward to a real future with real gains, with real jobs, with a secure environment and a place to stand. That is what the government promised: a place to stand. The place to stand they are promising young people today is a place to stand in the unemployment queues or leave the province. That is not good enough, as far as I am concerned.

Ontario was to stand at the cutting edge of the good society. I came into politics because I thought that we could achieve the good society and I would be able to contribute to that. More and more, that good society is slipping away. There was a fundamental turning point in the Conservative approach to government back about 1970 and 1971. Under Drew, Kennedy, Frost and Robarts, the Conservative Party was known as builders, as a group committed to expanding Ontario's wealth and base of services to the people. We may not have agreed with everything they did, but at least they were there as builders.

The Premier and leader of the Conservative Party has changed all that and has abandoned the good traditions of his party. Instead, he has moved in an utterly cynical fashion and turned the politics of substance into the politics of the superficial.

He moved from a debate about the basic issues of the day to American-inspired techniques of mass persuasion. I give one example. My friend the member for Sudbury East (Mr. Martel) and the former member for Hamilton-Wentworth, Ian Deans, were members of the select committee on economic and cultural nationalism, surely one of the crucial issues of the day in terms of the agenda for this province.

They came forward with first-rate research and a first-rate report at the early 1970s. Not a line of that report has ever been taken up for adoption by the Conservative Party since. Instead, the Premier created the Big Blue Machine, which is literally the last word in political cynicism in Canada today. The year 1971 is a long time ago; some of the members on the Tory benches were not even around at that point, perhaps were not even Tories at that time.

Let me go through the promises of the Brampton charter of five years ago to see how sorely we are losing, how far we are from the targets the government itself put out.

In the Brampton charter, the government promised 100,000 new jobs over the next decade. So far, we are bouncing along with 90,000 jobs per year. Unemployment has decreased in this province in only one year since the Brampton charter was announced. In 1977, unemployment was 280,000; now it is 320,000 and the forecast indicates it could be 400,000 in 1985. In 1982, we will be tenth and last with a projected real growth in our economy of 0.4 per cent.

Five years ago, the Brampton charter talked about a commitment to the continued security of food supply for all Ontarians. For up to 38 years, there has not been a long-term strategy for agriculture in the province. The Tories today specifically rejected long-term loans. They rejected land banking, which has been done by New Democratic governments in Manitoba and Saskatchewan.

They rejected real interest rate relief. They rejected the moratorium we have been calling for, even though their provincial colleagues in Saskatchewan have voted for that. They have come up with a program which, at \$60 million, is equal to only a bit over one per cent of the interest cost on the outstanding loans to farmers.

In the Brampton charter there was a commitment to a target of 900,000 housing starts over the next 10 years in Ontario. They had better get building because, instead of building 90,000 homes a year, the average so far over five

years is no more than 56,000 homes. We have vacancy rates in rental housing of less than one per cent in Hamilton, Kitchener, Ottawa, Niagara Falls and Sudbury. It is 0.3 per cent in Toronto and, according to the Canada Mortgage and Housing Corporation, the vacancy rate is 0.0 per cent the city of Oshawa. Six hundred homes have been repossessed in Essex county this fall because of the economic situation there.

2:10 p.m.

The idea of having a home of one's own is becoming a dream of the past. The Tories are looking for a way to abandon rent controls. When they brought in condominiums 10 years ago, they failed to give the same kind of thrust to co-operative housing. We could have as many co-operative homes in this province as we have condominiums if the Tories had not been ideologically wedded to the idea of housing for developers and housing for profit.

In the Brampton charter, the Conservatives made a commitment to reducing the municipal tax burden on senior citizens and, ultimately, to the elimination of this tax. They have not eliminated it. When one looks at the plight of senior citizens generally, 45 per cent of those senior citizens still live on an income of less than \$5,000 a year. One hundred thousand senior citizens—

Hon. Mrs. Birch: That is not true.

Mr. Foulds: It is true.

Mr. Cassidy: The Provincial Secretary for Social Development should listen to that: the ones who rent and who live in Ontario's homes for the aged have, in fact, lost their \$110 Ontario tax credit.

If I can be parochial for a minute, four or five weeks ago I met with about 75 very anguished and very concerned senior citizens who live at 415 MacLaren Street in an Ontario Housing Corporation development, an Ottawa Housing Authority high-rise in the heart of my riding. Those people have supported the Conservatives quite faithfully. More of them vote for the Conservatives than vote for me. They were asking me, "Why is it that after that promise made by the Tories, we are having such massive rent increases?"

It is ironic that while the rent increases granted by rent review had been averaging about 11 per cent or 12 per cent, the rent increases these people have had to pay at 415 MacLaren Street are 28 per cent in one case, 27 per cent in another case, 28.9 per cent in a third,

28.6 per cent in a fourth case and 44 per cent in another case. These are people who gave their names to me, but I cannot give their names because they do not want to have their names made public; they are afraid they might be victimized.

What kind of a government is it that makes a commitment to senior citizens and then turns arounds and savages them with rent increases that are higher than almost any private development anywhere in the province? In the Brampton charter, with all the fanfare, the government made a commitment to reduce waste and social spending and to ensure that the truly—

Interjections.

Mr. Cassidy: Where was the Minister of Municipal Affairs and Housing (Mr. Bennett) when I was talking about his shoddy record in housing, and why does that minister insist that the rights of private property always have precedence over tenants and people who want to have a home?

Hon. Mr. Bennett: No, no.

Mr. Cassidy: Oh yes.

Hon. Mr. Bennett: No. I said individual owners have the same thing.

The Acting Speaker: Order.

Mr. Cassidy: The honourable member should go a bit north, now that he is the member for Ottawa South and Russell Hill. He should go a bit north from there and see where people in apartments renting at \$250 a month, who have lived in them for 10, 20 and in some cases 43 years, are now being evicted in order that those apartments can be replaced by town houses that will sell for \$250,000. That is the minister's housing policy. That is what he has tolerated in the province. Low-income housing is systematically being eliminated in Toronto, and it is going to happen in other parts of the province as well.

Hon. Mr. Bennett: I presented the facts. You don't want to listen to them. You want to listen to your own facts. Keep them straight.

Mr. Foulds: Back to your cage, Claude.

The Acting Speaker: Order. The member for Ottawa Centre has the floor.

Mr. Foulds: Spit it out, Claude. Spit it out.

Mr. Cassidy: For 10 years, that great humanitarian, the member for Ottawa South (Mr. Bennett), has supported a government which in its compassion made a commitment in 1977 "to reducing waste in all social spending"—they have done that to the point of being savage—"and

to ensure that the truly needy and those who serve them get adequate and fair support." I suppose those who serve them are the hospital workers who were savaged in that strike and they do not have the right to strike.

Mr. Martel: But not the interns.

Mr. Cassidy: Not the interns; that is right.

Mr. Martel: They can strike illegally.

Interjection.

The Acting Speaker: Order.

Mr. Cassidy: Let us talk about the truly needy and about adequate and fair support.

The Ontario Welfare Council has just brought out a report which indicates that between 1975 and 1981, for a mother with three kids on family benefits, the value of that woman's family benefits was cut, in real terms, by \$945, or by almost \$20 a week. It estimates that from 1975 to the present, the value of those family benefits was cut by 12 per cent to 25 per cent. God knows, it was bad enough in 1975.

In these days, the cost to rent a house in many parts of our province is equal to or greater than family benefits gives as an entire income for a family that has to receive family benefits. Ontarians who receive some form of social assistance now live on incomes that range from 31 per cent to 45 per cent below the poverty line. That is what the member for Ottawa South supports. That is the kind of humanitarianism and compassion we have had from this Ontario government.

The government said in the Brampton charter that it would continue the battle against inflation, now running at 12.2 per cent, by providing the private sector with opportunities for job creation. As I said before, the jobs are not being created and unemployment may exceed 400,000 before we get to the middle of the decade.

The government made a commitment to replace two trees for every one harvested henceforth in Ontario and to regenerate every acre harvested. How long do we have to wait before any of these promises actually get to be implemented? This promise was made back in the 1940s by George Drew as well.

I remember how the government resisted when my colleague the member for Sudbury East thought we would get the two-trees-for-one principle endorsed in actual legislation. Three years after the promise was made in the Brampton charter, James Auld made a speech to the International Union of Forest Research Organizations and admitted that out of 195,000

hectares cut annually, we were as yet able to treat only 80,000 acres, or 41 per cent. In fact, a smaller proportion of the forests is being regenerated today because of this government's policies than were being regenerated back at the time of the Brampton charter. Talk about keeping the promise!

In the Brampton charter, the government made a commitment to increasing the sale of Ontario goods and services outside of Canada by five per cent a year. I am not sure what they meant, but I know that in their background report, which was presented as part of the Board of Industrial Leadership and Development document, they recorded that Canada's deficit in end products exceeded \$16 billion in 1980, six times the deficit recorded in 1970. Half of the manufacturing deficit comes from Ontario, because this is where half the country's manufacturing is located.

They made a commitment to decrease the size and expense of government in Ontario, resulting in—remember this?—a balanced budget by 1981. There are 12 or 13 days left in 1981, and I am not sure what the final figure is going to be, but the government projected the \$1-billion deficit and now they have added \$650 million, thanks to the purchase of Suncor.

In the Brampton charter, the government made a commitment to maintain the highest quality of health and hospital services based on a system that allows individuals to work together with their own doctors for their health and wellbeing. What it did not say then was that even today 25 per cent of the full-time physicians in Ontario are opted out; even today, 40 per cent of obstetricians and 60 per cent of anaesthetists are opted out in Ontario. That is not what we fought for when we fought for medicare in Saskatchewan, in Canada and here in Ontario.

Since 1974, Ontario health insurance plan premiums have increased by 95 per cent. Today, with the OHIP premium and Ontario taxes, a family with an income of \$15,000 a year in Ontario pays higher provincial taxes than in any other province in Canada. That is the record of those compassionate, humanitarian Conservatives.

2:20 p.m.

The latest talk is that the Minister of Health (Mr. Timbrell) has now given freedom to the hospitals to charge what they will for private and semi-private beds. He talks about a bottom-line mentality. I suppose that means he is going to encourage the hospitals to put pay toilets on

every floor for visitors to patients; they are going to start charging extra for a room with a view; they will have a Saturday night special; they will give specials such as 50 per cent off on gallstone operations in February and March. I can see it all coming, because that is what happens when one gets health care for profit rather than health care as a service for the people of Ontario.

In the Brampton charter, the government made a commitment to preserve an educational system of high quality with accessibility to higher education based on individual choice and individual merit. Talk to the people who want to go to Humber College next year to take theatre arts; there will be no first-year program, and nothing comparable to that is available in Metropolitan Toronto.

Talk to the people who want to take the career action program under the Ontario government. That program, which is the only initiative for youth employment this winter, has run out of funds at Algonquin College in my riding. It has run out of funds at St. Clair College, at Loyalist College, at Mohawk College and at Sault College in Sault Ste. Marie, despite the fact that 140,000 workers aged 25 or less, 12.9 per cent of our young workers, are unemployed today.

Financial support for university education has fallen behind all other provinces to the point where at the University of Toronto they have laboratories in laboratories. That is a scandal, but that is a situation the Tories have accepted and created.

I have visited many of the community colleges. They say to me, "How the devil can we do our job?" They say to me at Confederation College, Algonquin College and at Humber College, "How can we do our job in preparing this province for the technological changes of the 1980s when we are being forced to eat up six or eight per cent of inflation every year?" I cannot give an answer.

The Tories in Brampton made a commitment to the value of municipal government in the democratic structure of Ontario society. I suppose that is why provincial transfers to fund municipal governments have been declining and why the government has been systematically backing off. I suppose that is why the government has failed to implement the report of the Robarts Royal Commission on Metropolitan Toronto and continues to allow people like Paul Godfrey to be nonelected leaders of a government that is seemingly democratic.

The government made a commitment in the Brampton charter to balanced growth and development in the north. I suppose balanced growth is why Atitokan now has virtually no industry with the closing of the two mines at Steep Rock. It is the same at Capreol with the closing of the mine at Moose Mountain. I suppose balanced growth is why there has been no significant increase in secondary manufacturing in Sudbury despite the fact the day will come when the nickel will run out. There has to be something else in Sudbury to take up the slack if one really believes in balanced growth.

The government made a commitment to the pursuit of excellence in the fields of industry, technology, management and so on, so that all Ontarians might share in the collective pride and self-confidence that stems from living in an environment of progress and achievement.

I suppose that is the 30,000 people who had permanent or indefinite layoffs last year. I suppose that is the 169,000 people who were laid off permanently or temporarily in Ontario last year, according to the federal government. These fields had 92 per cent of all the layoffs in Canada. I suppose those are the people laid off in November this year when six workers an hour were being laid off.

This government's commitment was so shoddy and weak that it would not even reinstate the select committee on plant shutdowns and employee adjustment, which did some useful work a year and a half ago.

The government made a commitment to fair profit in terms of encouraging the free enterprise system. Why have they sat idly by while real wages have fallen but profits rose by 26 per cent in 1978, by 48 per cent in 1979 and by some further monumental amounts in 1980 and the first part of 1981? It is clear where their priorities lie. They are not with the working people of this province.

They made a commitment to reducing work stoppages and slowdowns through more advanced labour-management negotiations and through outlawing strikes, et cetera. They certainly outlawed strikes. We saw the way they were prepared to be vindictive with the Canadian Union of Public Employees workers. But they would not have the layoffs committee. They will not bring in first-contract legislation for the workers at Irwin Toy. They sat idly by through such things as the Radio Shack strike, Blue Cross, Boise Cascade, Maple Lodge, the CUPE strike and Irwin Toy.

Mr. Martel: But they did not touch the doctors.

Mr. Cassidy: They did not touch the doctors. That is something different.

They made no commitment in the Brampton charter to women's economic equality. We have made no progress on that since 1977 and, as I pointed out the other day, women today still get 0.5 per cent of the apprenticeships in Ontario. I spoke earlier about the lack of commitment to democratic and open government. They have a closed and arrogant government, no matter what decisions have to be made.

I go through that, because that is the record of the Conservatives. I compare it with what we have done. We have been an opposition party, but we have been a constructive opposition party. Sometimes we feel too much that it is our job to oppose and it gets to be rather tough; we like to be positive as well. But this party, under my leadership and before I became leader, has consistently been positive in making recommendations and putting forward programs that would benefit the people of Ontario.

We have proposed fundamental reforms in health. They have been ignored by the government. We have proposed fundamental reforms in ensuring equality in education. They have been ignored by the government. We have proposed that prosthetic devices be covered under the Ontario health insurance plan. That has been ignored by the government. We have proposed to save medicare and to stop doctors from billing extra. Instead, they were given a huge increase. The biggest increase of any group that works for the Ontario government went to the doctors under the Tories.

We proposed a manufacturing strategy. They came up with a cynical election document in the Board of Industrial Leadership and Development. We proposed automobile insurance to ensure that people do not have to pay extra by paying all the profits in auto insurance. It has been done in the western provinces and should be done here. It has been ignored by the Conservatives, despite the report of the select committee on company law. We have proposed effective legislation for worker health and safety. They finally passed a bill, and now they are not prepared to implement it.

We have proposed that the government move decisively with respect to Franco-Ontarian rights and that Ontario now be prepared to accept that section 133 apply to this province. I am proud of our record in that area. The government made a cynical deal with Prime Minister Pierre Tru-

deau. We proposed to continue tenant protection while the government is seeking to undermine rent review. We made proposals with respect to women's economic equality. The government treats them with the back of its hand.

I am proud to have led my party over these four years. We have made something of a contribution. I wish it could have been more.

I want to say in conclusion that on Wednesday of this week virtually all my colleagues joined me on the picket line at Irwin Toy out in Mississauga, or is it Etobicoke? We were there for an hour and a half. When I heard the news yesterday that Irwin Toy had finally cracked, even though the final dispute is not resolved, I was proud of the women there who had the courage to confront an unprincipled employer, a man who thought it was fine to be a playboy in his Mercedes but not fine to pay his employees more than \$3.60 an hour.

One of the reasons I am a Socialist, and one of the reasons I get angry and upset over what is happening in this province, is from talking with people like Winnie George, who was on the picket line when I was there on Wednesday.

Winnie George is a woman of about 30 who is West Indian by origin. She has lived in this city for a number of years and has a three-year-old child. Fortunately her husband works as well; so they have two incomes. She certainly could not live on her income at Irwin Toy. She takes home \$230 or thereabouts every two weeks at the rate that prevailed at Irwin prior to the strike breaking out. She said to me, "I finally decided I was going to hang in with this strike, because there has to be a better way." Maybe she has won right now. Winnie George has to pay \$100 every two weeks for day care for her child so she can go out to work.

I was reading the paper last night. It had a story about what is happening in Yorkville with the boom in retailing which is hitting one area and one area alone, the area of luxury goods. While angry farmers storm this Legislature, Creed's is having its best Christmas season ever and sales are \$500,000 ahead of last year. While 100,000 workers were standing up on Parliament Hill, those luxury merchants were stocking up for a sales boom such as they say they have not had for many a year. While interest rates were forcing foreclosures on small businesses, farmers and home owners, the wealthy classes were buying. They were buying such items as an ashtray costing \$214, just about what Winnie George takes home in two weeks;

naileclippers in ivory for \$165; a beach towel costing \$210; or, if one is feeling a bit cold because of the energy shortage, a vicuna blanket from South America costing \$5,400.

2:30 p.m.

That is the kind of system the government has; that is the kind of system the government supports; that is the kind of private property the Minister of Municipal Affairs and Housing (Mr. Bennett) thinks is so important when he ignores his responsibility as minister; and that is the kind of system I for one want to change. I am not going to give up trying to change that, because I happen to be taking a new role in my party. I happen to think the New Democratic Party will be able to come back and will be able to effect those changes and realize the dreams we have had for so many years in this province.

I want to say a word of thanks to all my colleagues in the Ontario NDP caucus here: the member for Sudbury East (Mr. Martel); my friend the member for Port Arthur (Mr. Foulds); the member for Bellwoods (Mr. McClellan); the member for Nickel Belt (Mr. Laughren); the member for York South (Mr. MacDonald), who has served this party faithfully and well and strongly for 25 years now; the member for Riverdale (Mr. Renwick); the member for Hamilton East (Mr. Mackenzie), who is a labour critic without parallel in any party, any Minister of Labour, any labour critic in living memory of the Legislature of Ontario.

I want to thank the member for Lake Nipigon (Mr. Stokes), who likewise I believe did the finest job as Speaker that anybody in memory can recall in his tenure in your chair, Mr. Speaker; the member for Beaches-Woodbine (Ms. Bryden); the member for Oshawa (Mr. Breough); the member for Welland-Thorold (Mr. Swart); the member for Oakwood (Mr. Grande); the member for Algoma (Mr. Wildman), our finance critic who initiated this debate; the member for Dovercourt (Mr. Lupusella); the member for Etobicoke (Mr. Philip); the member for Scarborough West (Mr. R. F. Johnston); the member for Windsor-Riverside (Mr. Cooke); the member for Hamilton Mountain (Mr. Charlton); the member for Cornwall (Mr. Samis); and the member for Downsview (Mr. Di Santo).

I want to say a word of thanks to them all and also to Patrick Lawlor, Fred Young, Monty Davidson, Mike Davison, Ed Ziemba; to my colleague from Ottawa and friend, Evelyn Gigantes; to Janos Duskzta, Ted Bounsall, Bud Germa, Mac Makarchuk, Colin Isaacs, Stephen Lewis, Ian Deans and David Warner, all col-

leagues and friends, who in the last four years have worked alongside with me for the ideals our party will continue to struggle for and fight for. I want to thank them for their hard work and support for me personally and for the people of Ontario.

I believe only a genuine movement of the people, the ordinary people of this province, galvanized to action and change and organized by a powerful party—and that will be the New Democratic Party—can remove the Tories from the government. That is the commitment on the side of the NDP and our pledge to the future of this province. I, for one, will move forward with this party from now on under a new leader from the convention we are having in the spring. We will be a united and powerful party, determined, democratic and always focused on the building of a humane and decent society in Ontario.

In the name of people like Winnie George, of all the Winnie Georges across this province, I want to reiterate the motion of the amendment to the amendment to the motion. I would urge all members to support that motion, the amendment we are putting forward: "This House rejects the increase in personal income taxes, OHIP premiums and regressive taxes and the refusal to increase taxes on private corporations and to end corporate tax concessions; deplores the failure to provide relief from high interest rates and to institute a housing speculation tax; condemns the lack of commitment to rebuilding our manufacturing sector and to creating employment opportunities;"—how trenchant the motion of the member for Algoma (Mr. Wildman) was in the spring, because the problems have not changed from March until now—"censures the continuing giveaway and mismanagement of our natural resources; and finally, disapproves of the underfunding of health and social services and the increasing dependence on user fees."

For these reasons the government no longer enjoys the confidence of the New Democratic Party, and I would like everybody to join with me in saying that, "for these reasons the government no longer enjoys the confidence of the House."

Mr. Smith: Mr. Speaker, I mentioned earlier that, depending on how things develop in the next week or so, this might be not only my last speech as Leader of the Opposition but my last speech in this Legislature. We shall have to wait a few more days to know whether that is a fact, but in many ways I have a series of mixed feelings on this occasion. While the six years I

have spent as leader of this party and as leader of Her Majesty's loyal opposition have not always been easy, they have always been challenging and exciting. Therefore, although one looks forward to new challenges outside the Legislature and almost to one's liberty upon release from the bondage of this position, I think in fairness it is highly unlikely that there are many other positions I am likely to find in life with the degree of challenge, and the kind of excitement and tension that exist in this job.

It may be that much that follows will be epilogue. I hope not. I hope this has been prologue to more exciting things to come for my family and myself. I have the feeling it will not be easy to duplicate a job like this elsewhere. The one thing I am looking forward to, very honestly, is a position in which instead of having to criticize, cajole and otherwise direct folks who are in power I might find myself in a small way in a position where I can actually do what I used to do, as a physician and a scientist. That is, implement some ideas I feel are worthy of being implemented and then be judged by their success or lack of it. There is a certain satisfaction in that, rather than always having to tell other people what one thinks they should or should not do or ought to have done better.

That is not to demean the job of the Leader of the Opposition. As we see very plainly in Poland, in some ways the job of opposition is more important, more intrinsic to democracy, than the job of government. Lots of countries have governments but only democracies have oppositions. Therefore it is a role that has been for me and my colleagues, albeit frustrating, none the less, in any way one wishes to look at it, a very great honour. In my view there can be no doubt about that.

I feel I was one of a very small number of people to be given an opportunity of a lifetime to be the leader of a party of this kind, one for which I have very great respect. It has been an honour to be the leader of people of the kind I have associated with, and to have an important role in the conduct of this assembly with good people from all parties, all of them serving their constituents, their country and their province in the way they feel is best. This is an honour greater than anything else I have ever had in my life. I hope my contribution here has been constructive and helpful.

While it did not result in displacing my friends opposite as I would have liked and as they would not have liked, I do not regard my time here as a failure. I believe we were an effective, honest,

decent opposition and we provided a good alternative for the people who in their wisdom chose not to elect us in the numbers required to form a government. There is no shame in that. I believe we have conducted ourselves with integrity and have improved the political life of Ontario. In that sense, I feel the time has been successful.

I have formed some friendships, though they are not always obvious. I have actually formed some friendships on the other side of the House and with my friends to the left, with a number of people I have very great respect for. I would hesitate to start naming individuals for fear other individuals might feel that reflected a lack of warm feeling when that might not be the case. I am especially happy to see some people for whom I have very deep respect and for whom I have grown to feel very great admiration over the years. It is not my style to be very outgoing in that respect. Even my own staff and my own caucus members have commented over the years that I tend to keep myself a little aloof.

I hope people understand that in no way reflects any lack of feeling for my staff, my caucus colleagues and even my friends in other parties. I have very deep feelings of respect for these people and very deep feelings of gratitude for being able to participate in the democratic process with people of such quality.

2:40 p.m.

I want to say a word about my friend, the member for Ottawa Centre (Mr. Cassidy), who is also giving up the leadership of his party. I believe whatever faults one might want to find in his policies from time to time, or even in the tone of this speech or that speech, whatever one might feel—and he and I have our differences—I honestly think he is an honest man and a very hardworking individual. I believe he gave more than 100 per cent of himself to his party and to the democratic process.

I believe he is a man who has accepted leadership and has conducted himself under very trying and difficult circumstances, yet I think he held his head up and conducted himself well even when life looked pretty difficult politically. I want to pay personal tribute to him on that level and wish him every kind of personal success in whatever he undertakes in the future.

I should just say, lest he is in any suspense about this, that although our party has some difficulty with one or two phrases in his motion of no confidence and the amendment to the budget speech, because we are more in sympa-

thy than against the general thrust of that argument we shall be voting for the amendment and of course expressing our lack of confidence in the government. I am sure that comes as a tremendous surprise to my friends opposite.

I have the feeling the members opposite will get over the disappointment.

More than anything else, my six years as leader and my barely more than six years in the House have been a learning experience. Some might say I learned too little and even, I might admit perhaps, learned too late in some instances, but I do believe it has been mostly a learning experience. I have had the privilege—

Mr. Stokes: You learned well.

Mr. Smith: Thank you. Coming from the member for Lake Nipigon I appreciate that. I have great respect for him, as he knows.

I have had a chance to get to know a province that perhaps I did not know enough about when I took on the leadership. I have been treated well by the people. I have been received into their cities, their homes, their meetings, their churches and their businesses. I have had a chance to see the geography of Ontario, the very soil, the very rocks out of which Ontario is constructed, but most of all I have had a chance to meet the people and get to know them.

That is an experience money cannot buy. One could live several lifetimes and not get to meet the number of people I have had a chance to talk to, learn about their outlook on life, about how they spend their days, their hopes for their children and their communities. These are things which are really difficult to describe but they are the things that have made this experience worthwhile.

I think back to when I first came to this House. We were sitting over there and I remember I had the honour to sit behind my good friend the member for Brant-Oxford-Norfolk (Mr. Nixon). Having had him first as my leader and then my adviser and then my House leader after a period of time in which we were well served by the member for Kitchener (Mr. Breithaupt) as House leader, the member for Brant-Oxford-Norfolk is a man for whom I have the utmost respect and affection and for whom I will always feel undying gratitude. No one could have been better served by an outgoing leader and a righthand person, supporter, adviser and friend than I have been served by the member for Brant-Oxford-Norfolk and that has been a great honour.

I think back to when we were sitting over there and I made my first speech in the House. It

was a very memorable occasion—for me, of course; not for any other member of the House, I am sure. I think back especially of my naivety. If members have nothing better to do some time, they might look up that speech. The strange thing is that I honestly believed it. I am almost embarrassed to say this, but I honestly thought I could come into the House and make suggestions to Darcy McKeough, a man for whom I have great personal respect and affection. He is a man of great principle even if I disagree with some of those principles, but I happen to like Darcy very much.

I thought I could suggest from my bench in the opposition, to Darcy, some way we could solve the regional government difficulties, much along the lines of a recent bill the government has finally got around to introducing about the solving of boundary disputes. It is a sort of arbitrated settlement rather than regionalizing everybody.

I honestly felt I could make a constructive suggestion that we might get together and come to some agreement about. I do not see the Treasurer who was here a moment ago with his jacket. If he was anywhere near I am sure I would spot him. From my experience in teaching the subject of health care delivery at McMaster University, I remember honestly believing I could actually make some suggestions to the member for Muskoka, (Mr. F. S. Miller) who was Minister of Health at the time. I was going to suggest how to reduce some waste that I knew existed in the hospital system at the time without doing real harm to the core of our hospital system.

What happened eventually was that I found myself being quoted as an ally of his, when he went around shutting hospital beds mostly in my Liberal riding. That, I may tell members, did not make me very popular.

Hon. Mr. Grossman: It made me very popular.

Mr. Smith: It made the member for St. Andrew-St. Patrick popular with the Doctors Hospital but it did not do a lot for me.

The reason I bring it up now is because I have very mixed feelings about the difference I see in the man who stands before you now—who, perhaps, has learned more about politics and the naive person who would have stood before the House six years ago. In some ways I almost wish the naive person were right and the present one wrong.

I almost wish the House could operate in a way so that decent people on all sides with good

suggestions to make could meet and put the suggestions down and come out with compromises. I wish we could settle on helpful policies without always having to first posture in the newspapers and then set up the media and then see whether something could be worked out behind the scenes, while the reporters are busy writing what a good fellow he is and what an awful chap the other guy is. I do not know if there is any way that could be done.

In a way I am sorry that over the years, what I have learned, although it probably is reality, is relatively unpleasant compared with the naive picture I had of the place. I had another naive picture of the place before I came in, and that is that it was a place where issues would be debated. Please understand, I do not blame anybody for this. This is not a partisan speech members are going to hear today. Members will probably not even hear a word of criticism of the government. If that is a shock to them, they will understand—

Mr. Nixon: Not even for George?

Mr. Smith: I will try to find the occasional word for one or two of my friends, but it will not be too many.

Hon. Mr. Timbrell: We knew we'd get to you eventually.

Mr. Smith: The member got to me a long time ago.

Mr. Stokes: The tragedy of it all is that you really are not understanding what he is trying to say.

Mr. Smith: In fairness, perhaps they are.

Fair is fair, but I thought when I came that issues would be debated. I had this naive view of the Legislature as a place where whatever the issue happened to be—health care, economic policy—the Premier would stand up or a minister would stand up and say what he believes on a certain subject. Perhaps he would talk for 20 or 25 minutes. The various other leaders or critics would stand up and do the same and there would be a debate, perhaps leading to a resolution, perhaps not, but subjects would be debated on occasion.

The press gallery would do its job by watching and listening to the various points being made and would inform the people of the stances being taken by various parties in the Legislature. I realize it sounds like sheer naivety. It was sheer naivety. But I still have a lot of difficulty understanding why that does not happen.

2:50 p.m.

I still have a lot of difficulty understanding why there has never been an occasion over the years, with the exception of the sort of artificial confederation debate we had in here, in which the Premier and each leader stood in the House and spoke consecutively. While the other two persons of this triumvirate would listen, each leader could have spoken consecutively for a reasonable time on a given topic—20 or 30 minutes let us say—then sat down and in that way elucidated how we looked at the issues in our various parties. I do not know why we cannot do that.

I do not blame anybody for the fact that has not happened. I do not think it is a conscious decision on anybody's part to prevent it. Perhaps it is the role of the House, I do not know. I have talked to the member for Brant-Oxford-Norfolk (Mr. Nixon) about that. He has said it has always been that way too in his memory. But I regret it. I really do. I think it would not have been a bad thing.

Perhaps it sounds a bit like a university debating society. I do not really mean it that naively but it would not have been a bad thing to have issues debated with each of us listening to the other guy and maybe spending a couple of hours that way once in a while. But it has not happened that way. It has not worked out. So one loses one's naivety and tries to learn the game. Unfortunately the game is not always pleasant but I guess it is the way things work.

The other thing I know very well, and members do not have to tell me, is that in some ways I have not been what one would call "a member of the club." I have tended to sort of keep to myself a bit. I guess I have not really participated in a lot of the informal friendships at all the informal social gatherings and so on, which members have. I do not want members to feel that is because there is anything wrong with it; nor should members feel it is because I feel myself to be, in any way, sort of above it or beyond it or anything of that kind; nor do I feel it is because I feel I have been rejected, because I have not been rejected. It just is not my nature.

In that sense, perhaps I have missed out on an aspect of life in this Legislature. On the other hand, I guess I just have to be myself. It has been my style to avoid a lot of the social interactions that tend to go on. I want people to know that it is not for any reason other than it is just my nature; not because I lack respect for members or a feeling of friendship for members, it is just not true.

I admire the people who serve here. It just

happens that I never did get to be a member of that club mentality. I do not know if I have suffered for it or not. I do not think I have. I think there is room in this Legislature for everybody to do things as they prefer. But it is something I have to note because, frankly, I think a lot of the bad press I used to get and a lot of the sort of inappropriateness that seemed to occur in some of the debates and so on is partly due to that. As I have been reflecting on it, I have asked myself whether, if I were to do it all over again, I might approach it differently. I do not think I would but I have had some reflections on it.

I want to say a few things about what little have learned of what is happening in Ontario and in our great country, Canada, and perhaps what analysis I have been able to make of this situation. It is not a unique analysis. I do not suggest it is vastly creative or original but it is genuine. It is something I honestly believe and something which I have put a lot of thought into. Whether at the end of all that thinking I have come to a mundane conclusion will be for members to judge.

But if I can leave a few thoughts with the members, they should not do any harm over the holiday season. If they are useful that will make me very happy. If they are not useful I am sure they will join the many thousands of words that go into Hansard each day and each week and are forgotten and not mourned.

I am very impressed with the people of this province. I am also convinced that with our eight million people constituting the major population centre of this country they really are our main resource. We sometimes forget that because of the vastness of our geography.

But I ask members to reflect for a moment about the people of Ontario—the farmers, the miners, the loggers, the people who have shown tremendous courage, tremendous steadfastness, great rockhard integrity—people who have a willingness to work, to face difficulties.

I look at the immigrant communities we have in Ontario. The Ontario of today is not what it was 60 or 70 years ago. It is not even what it was 20 years ago. Look at the vitality in those communities. Look at the willingness to work, the willingness to take risks, the willingness to really put in that extra effort. Our immigrant communities are a source of enormous energy, power and strength. I sometimes have the sense that we are not harnessing that sufficiently.

I do not have an answer of exactly how to do it. But when I am among the various so-called

ethnic communities, and I see the energy, the drive these people have, the belief they have in our country and in its greatness, I think the system is not working right when so many of these people are not drawn in to the very essence, the very leadership of our various commercial, bureaucratic and governmental efforts. I really believe we are missing out, that we have isolated many of these communities more than they should be, and it is to our great loss and detriment.

I look at our young people. I have had a chance to meet so many of them. I am very proud that my daughter is here today just to be with her mother and father on this occasion. But I look at these young people and talk to them. They are a tremendous generation of young people growing up in Ontario today.

These are people who, thank God, have not known war and who are being brought up by parents who also, generally speaking, thank God, have not known war. These are people who have a great optimism about the world. They want to contribute. They have energy. They have enthusiasm. They have tremendous natural talent and, God knows, they are growing tall.

I find it absolutely amazing to see this new generation. They are a tremendous generation of people. It honestly worries me—and please do not take this as a criticism of any government in Ottawa, Queen's Park or anywhere else—that all of us collectively are not perhaps providing the system these young people are going to need if they can bring their talents, their enthusiasm and their desire to bear to make a maximum contribution to our society and its advancement.

I look at our factory workers. I hear all kinds of things about unions, about strikes and everything else. But comparing our factory workers to any group of industrial workers in the world I think they are a very law-abiding, basically very loyal group of people who, if given proper direction and management want to do a decent job. That has been my experience with the working people in the various industries of this province. I think, frankly, we are lucky to have people in the industries who are basically not disruptive by nature. They would rather do their work and get on with it if given a choice, and fundamentally are law-abiding, co-operative individuals.

So I really have to ask myself a key question, one I puzzled with for six years: why have we not harnessed the vitality of our people into tough

competitive teams that could take on the best the industrialized world has to offer? It is a very important question.

There are some success stories. There is the story of the steel industries, of Mitel Electronics, but these generally are not well known and there are not enough of them.

3 p.m.

But look, my friends, we are supposedly the manufacturing centre of this great country. Yet Canada has now amassed, in this coming year, a deficit in international trade and manufactured end products that has reached the astronomical total of \$23 billion. I remember when it was \$2 billion and we thought it was shocking, then \$7 billion, then \$8 billion, then \$16 billion and now \$23 billion.

What this means is that, generally speaking, in the industry of making things we are having the pants beaten off us by other parts of the world. Yet we have the people who have the brains, the willingness, the vitality to be competitive in the world and to do as well as anybody else.

It is wrong when 37,000 people, mostly young and skilled, leave Ontario for western Canada. Not that it is wrong that anybody goes to western Canada, of course not. There is great opportunity in the west and thousands will go there to seek those opportunities. That is wonderful. Our country is opening up and there is nothing wrong with that. But a lot of people, let us be honest with ourselves, are leaving because of a lack of opportunity here. That is a different story.

It should not be that way because we can all live on western resources, but if we do not hold up our end of things in the manufacture of products, sooner or later the folk who move out west are going to wonder why their efforts should be expected, and their resources should be used, to keep going a large population base that is not paying its own way in the world. That is going to divide our country in a way that is already beginning to show in the east-west problems we now have in Canada.

I had to ask myself: "How did this happen? Why with such great people are we not utilizing our human resources to compete with the rest of the world?" My first answer to this, about five years ago, was that there was too much confrontation. I felt we had government on one side, business on another and labour on another, and that we failed to work together. The more I look at it, however, the more I feel that is more a symptom of the situation than the root cause.

Whenever things are not going well, people do not want to share either authority or money. I do not believe confrontation is the main problem, although it is a problem.

I next looked at this question and came to the conclusion, which I think is closer to the truth but still not the whole truth, that our problem is our branch-plant economy. After all, if most of our manufacturing is owned by foreign owners and they have their major enterprises outside this country, naturally they are only going to use their branch plants here in most instances to produce things they develop elsewhere. They will not do the research and development. They will not inspire the worldwide attitude, the competitiveness that, let us say, a local enterprise, developed locally with great ambition, might otherwise inspire. I think there is truth in that.

I do not think there is any doubt it is true that the control of our manufacturing industry from abroad is one of the reasons we have insufficient research and development in our province and to a great extent in our country as well. Although they are interchangeable in many respects, our country and our province, unfortunately manufacturing is mostly located in Ontario and therefore whichever view one wants to take, national or provincial, it ends up that we have to do something about it as Ontario citizens.

I noticed even when the dollar fell some time ago Canada did not benefit. The reason was that the branch plants still imported their components from the mother company at an agreed-upon price between the mother and daughter companies. Consequently, we are so controlled from abroad that even having a lower dollar does not help us. There is the symptom, which I think is an important one. But it still begs the question. That is what I want to discuss today. I will not be much longer.

Why are we so branch-plant oriented? Why are we the only country in the world that has such huge foreign control of our manufacturing enterprises and our industries generally? There is no other developed country that comes even close to the level of foreign control we have in Canada, and particularly in Ontario—no other at all. Our own domestic market is penetrated fully to the tune of one third by foreign-made goods. No industrialized nation comes even close to that high a foreign penetration of its own market. That is just unheard of in other industrialized nations. Of course, it is true in Zaire, but it is not true in industrialized countries.

I have to ask why that is. Why are we somehow satisfied to be on the fringe of great industrial enterprises elsewhere and take the spinoff and let them set up branches here, rather than getting in there with a burning desire to start our own enterprises and take on everybody in the world, the Americans, the Japanese, the Europeans? Why do we somehow not have that fire in our bellies that would enable us to go out there and be competitive?

I have puzzled about this because I look at the people, and the people seem to me to have everything required, and I do not have to tell anyone we also have the natural resources. In a funny way, the fact that we have the natural resources is probably the reason we have not learned to rely on the human resources. That is the conclusion, in essence, I had to reach.

I spoke to my friends from Japan. Very plainly, as they look at each other on their little islands, the Japanese recognize they do not have anything but each other. They have nothing else over there. So, like it or not, they have organized themselves with a strategy, with group efforts of various kinds, and they are going out and taking over the industrial world today. There are plans in Japan to be the most powerful industrial nation on the face of this earth within the next 10 years. Furthermore, they honestly feel, according to a recent symposium sponsored by the Globe and Mail—and the papers delivered at that symposium are fascinating—they are going to be the financial centre of the world in just another decade or two.

They believe that the Pacific area, the Pacific rim and mainland Asia, will be where world power will shift as time goes by, and they are well placed to become the industrial centre of this world. They are well on the way to doing it now. In talking with them, they will say at any given moment what their five priority industries happen to be, and they change them every three years or so.

Why have we not organized ourselves as well? The only answer I can come to is the fact that we have not had to do it. Necessity is what brings about great creativity and great effort, and we have not had to do it. We have been able to be relatively complacent, and we have been able to live very well on our resources, essentially, and on the spinoff and spillover from our rich friends in the United States of America.

I have to go a little further. Our history contributes to that. There is an elite that runs our country, an elite which is largely a corporate

elite, to some extent a bureaucratic one, much less a political one and much less an intellectual one. Having had a chance to meet on a personal basis most of the bank presidents, most of the large finance people in Ontario, the heads of about every large industry in this province, I honestly believe two things. First, they are good people who honestly believe themselves to be good Canadians. Second, they have adopted, unconsciously for the most part, a policy and a view of this nation that has more confidence in its resources than in its people.

The people who make the fundamental decisions in this country are quite prepared to lend money to large American enterprises to come in and exploit or manufacture our resources when these same people are not prepared to put their effort behind a struggling Canadian company that might be interested in the same field of endeavour.

3:10 p.m.

They honestly believe the dollar knows no boundaries and that, living beside the United States of America and being a country with a relatively small market, we really have no choice but to link ourselves in industry to a continentalist view and to retain our autonomy by the use of our resources.

We can retain autonomy that way. The Americans will gladly permit us to fly our flag as long as they have pretty well unrestricted access to our resources at a fair price. We can fly a flag. We can pretend we are autonomous. We can pretend we have independence. But for Ontario this does not bode well.

If we go this route of continuing to depend on the continentalist view of industry and on resources as our only source of wealth, our country will be less autonomous but, more than that, Ontario's traditional industries will not be able to provide the employment our people will require. Things will wind down even when Americans start buying cars again. There still will be thousands of jobs lost in the auto industry, just as an example. That is true of almost every other industry because the technology is changing.

Unless we change the attitude which says we will live on our resources and let the Americans take the risks for us in terms of branch plants, I say right now—and I am not saying this to get votes because I cannot get any more—we will decline just as the northeast of the United States has declined. We must turn our attention away from this dependence on foreign capital, for-

eign ownership, foreign ideas and foreign development and depend on our people and their abilities.

There are many signs that we have chosen to depend on our resources rather than our wits and the ingenuity of our people. I will review some of the signs briefly.

I have already mentioned our trade balance in manufactured end products. It is a \$23-billion negative balance. I have talked about the degree of foreign control and about the fact we do not lend money to our own people. Our major banks have the lowest loss rate for bad debts of any major banking system in the world because they never take risks. Why should they take a risk by lending money to some poor, struggling middle-sized Canadian company when they can lend the money to a large American company to come in, buy out the small Canadian enterprise and make it a branch plant?

They say it is safer to lend to the big aggregations of capital. They say they have an obligation to their shareholders. So they have the lowest loss ratio in the world and we have the largest degree of foreign ownership in the world. We have sold the country using our own money because two thirds of the assets in this country today which belong to foreign people and foreign enterprises were purchased with money earned or borrowed in Canada. It is an amazing figure and something worthy of reflecting upon.

Does the House know Canadians have the highest amount of life insurance and other forms of insurance of any people in the world? Again, we are so security conscious. We have to reflect on that—the lowest loss ratio for our loans to businesses and the highest amount of insurance.

One does not make it in the world competing with the Japanese, the Americans, the Germans and the Swiss by playing safe all the time. Yet we seem to feel that is what we have to do.

Look at the great projects in our history, all the ones we talk about such as the Canadian Pacific Railway or the great improvements in the Algoma Central Railway and the forest products industry which grew up in northwestern Ontario. In almost every instance, thank God not all, these were foreign inspired, sometimes using government money, of course, but they were foreign-inspired ideas brought by thinkers from other lands.

An American will come here and say, "I am willing to bring in money from my friends, the Rockefellers, or my friends in Texas and we can

fix up this piece of forest, put a railroad through here and start an industry there." Canadians historically sat back and said: "Can you, sir? Really? You will do this for us? Isn't that terrific." We reaped great benefits from that because we did not have the technology or the pools of capital. We were a colony.

When are we going to shrug off that colonial mentality? When are we finally going to accept that we have pools of capital in this country and that people do not necessarily do us a favour when they come in and teach us how to exploit our resources? We are not stupid any longer. We have educated people, technology, science, training programs and a population that is capable of handling its own projects of this kind. Yet we spend our money begging other companies to come in and do things for us.

Look how we have failed to do enough training of our own people. Why is the population so complacent about that? They have not been bothering the government about funding universities. Let us face it, there has not been much public outcry about that nor about the lack of good training programs for our working people, even though many of them will shortly be rendered obsolete by the new technologies. Our people do not seem to get excited about that because we seem to lack confidence in our human resources and our ability to develop them.

In this country, we do not have an industrial strategy as the Japanese have. Look at inventions. I remember hearing a radio program not long ago—perhaps some of the members heard it—which asked would one believe that this, that and the other thing was actually invented by a Canadian. Everybody shakes his head and says, "Gee, I didn't know that." Recently there were a whole lot of different inventions by Canadians and everybody says, "Gee, I didn't realize that."

Why did we not realize it? We did not realize it because in 99 cases out of 100, after the Canadian invented it it was developed in another country. That is why we do not realize it. If we had huge companies here based on these Canadian inventions, we would know about it.

Somehow we as Canadians have come to define ourselves in terms of our land, our geography, our water, our mountains and our forests. We think of ourselves in terms of the land, the rock upon which this country is built and we do not have that same inner confidence in ourselves as people as we have in the very geography, the topography of the nation. It is a

subtle thing. Even the confidence we do have in ourselves as individuals usually relates to our sense of ourselves as being able to survive in a sometimes barren, tough, desolate and frequently cold existence as happened with our pioneer forefathers and happens now in many Canadian communities.

Even when we do have confidence, it is frequently in terms of our response to the land rather than our sense of ourselves as being ingenious, shrewd, tough, clever or competitive. We rarely think of ourselves in those terms. The immigrant communities do, but strangely we do not. We think of ourselves more as enduring, as lasting despite the tough winter's night most of us have to go through. It is a strange aspect of the Canadian cultural mentality.

If we continue that way, little by little our industries will grind down, our young people will go west, our country will become more of a portion of a continentalist entity, our autonomy will be less and less meaningful and Ontario will play a much lower role than need be in our great country of Canada.

The answer is for us to have as much confidence in ourselves as people as we have in the land and its resources so that we can marshal those resources to our benefit. That means we must organize ourselves. We must work with our financial elite to make certain it is the Canadian entrepreneur who is given the break. We must see the world as having potential for our market. We must train our young people. We must take risks.

We must tell our story, have national heroes, teach our history in the schools, tell the story of financial and personal successes, make Canadians proud of our people, not just our territory and the great land the Lord has given us, but rather, in addition to that, make us proud of ourselves as people who can take on all comers.

3:20 p.m.

We are going to have to live by our wits because if we will not live by our wits and our ingenuity then we shall decline as a province and our country shall lose its autonomy, little by little, if it bases it solely on natural resources. We are going to have to have confidence in ourselves as people. We are going to have to invest in our people, train them, organize them, learn to work together in different groups and basically see ourselves as people who are every bit as good, as tough, as clever and as competitive as any people on the face of this earth.

If we do that, with the gifts we have already

received by being citizens of this great province in this wonderful country, I am convinced we can make a future for our children that is even greater than any that has been dreamed of in the past. But first we must believe in ourselves as much as we believe in this great land.

Hon. Mr. Davis: Mr. Speaker, I will have one or two observations to make about the speech from the Leader of the Opposition. I would like to make one reference right at the outset. After listening to his observations, I sense he is going to encourage his colleagues to vote in support of the government. I cannot gain any impression other than that as a result of his observations and I certainly welcome it. In case I am not quite correct in that assumption, I will take a very few minutes to try to persuade the distinguished members of both opposition parties as to the merit of supporting the very excellent budget of the Treasurer (Mr. F. S. Miller).

I shall not be too lengthy in my observations, which I know will disappoint members opposite, but I do have one or two observations to make. Because of many things that have happened in the last couple of days, I regret I was not able to hear the leader of New Democratic Party in his final speech as leader of the party in this House. While I missed some of the beginning of the member for Hamilton West's observations, I did hear a goodly portion. I am sure the leader of the New Democratic Party will understand if I do not comment at great length on some of his observations.

I feel we are all part of a political process. As a former member for Sudbury, Elmer Sopha, once said, as he did every year while sitting over there, "Reorganize the cabinet of Ontario." He did it with great enthusiasm and great delight and always pictured himself as being on the Treasury benches at some point, but he did it with wit, a certain fairness and a certain sense of humour. I have never felt in this House, particularly on occasions like this, that there is a great deal of purpose being served in, shall we say, sort of zeroing in on the personalities of people. We do it on occasion. I may even have done it myself, although I cannot remember any occasion when I might have.

I would only say to the leader of the New Democratic Party that I guess this House is this House. If he wishes to make observations about the very distinguished Clerk of this House, that is his right. If he wishes to be critical of one of the great members of this House, a very distinguished member of cabinet and one of the

great ladies in this province, the Provincial Secretary for Social Development (Mrs. Birch), that is his privilege.

He can use some of the phraseology he did. It may have given him some comfort, some consolation. Perhaps it may give him a sense of power. I do not know what it gives him to go the route I understand he went a few moments ago.

I have lived in this House for close to 22 years and I know what it is like. I know the motivations that guide all of us. But I would only say to the leader of the New Democratic Party—in spite of the very personal observations he made, I know borne out of frustration, perhaps a sense of inadequacy, who knows what motivates people in speeches of that nature—that I will not reciprocate.

He will understand if I tend to ignore most of the things he said in what was, I assume, his last major speech, certainly as leader of that party in Ontario, except to simply say this: in spite of what he has said, on behalf of my colleagues we wish him well and we wish him well with sincerity. That is all.

This debate is traditional in one sense, coming as it is close to Christmas. It is a time not just to discuss issues of the past several months but to spend a few moments anticipating, to the extent one can in government, what the future may hold for us as well. It is a time to review, a time to recognize what this House has accomplished, the directions we have taken and the challenges that remain in front of us.

I can be fairly objective in my assessment, not just of the Treasurer's great budget but of many other activities in the House. I know we confront one another on occasion and we debate with one another. That is the system. I respect it and I understand it. I do not always like it, but that is the system. I think on balance it works relatively well. When the government does not do those things the members opposite feel it should do, I know they always desire to bring these matters to the attention of the public in as aggressive a posture as they can. That too is part of the system.

I also think there are those occasions when members opposite actually share quietly with the government of the province some of the positive accomplishments that are not quite as controversial. That too is human nature, part of the system, and one that we understand.

I have not had an opportunity to keep up to date with the newsletters and weekly columns written by members opposite, but I remember the former member for Huron-Bruce—if I have

the right riding—I used to read his columns with great regularity and I enjoyed them, because he used to write those columns as though he were a member of the government. In fact, most of the major policy announcements that were made that had a positive influence, I really thought he had been the minister responsible for the introduction of those policies.

Every week or so he would have the odd column where he dissociated himself from government. He pointed out that his true affiliation lay in some other direction, and proceeded to be critical. That too is part of the system and I appreciate it.

I can go up to the riding of the member for Victoria-Haliburton (Mr. Eakins), I can talk to friends of mine who, on occasion, support him, except at election time. They say, “He is a very nice fellow, he really is a Conservative at heart. He comes back to our town of Lindsay.” I know some of his friends, but I have to tell him that at home he is one of the greatest Tories I know. I think that is tremendous. It is part of what makes us all function.

It is true of the gentleman on his right, the member for Quinte (Mr. O’Neil). I go into his riding. He does not invite me with great regularity but when I am there he treats me extremely well. There were some days when I thought he was a member of our party. I was not sure just who belonged to which.

3:30 p.m.

Mr. O’Neil: Just keeping an eye on you.

Hon. Mr. Davis: I know the member keeps an eye on me, and I appreciate it. That is really how politics in the broader sense should work. We have a party system that has to be here. We are part of it; we have grown up with it. The parties opposite, of course, are finding this out in abundance, particularly at this moment and I know for the next—what is it, six or eight weeks?

I am looking forward to those discussions. I have a series of comments made by some of the aspirants to that important office held by the member for Hamilton West (Mr. Smith) that I have decided not to read, because I think they are irrelevant. As I listened to the tenor of the observations from the member for Hamilton West, I decided not to read them. I may use them some time in March or April, as they relate to the successful candidate, but I should warn the member for London Centre (Mr. Peterson) that we do keep track of the things the member says in various parts of the province. We have

them all catalogued. We know exactly the policies he is enunciating, and we know they differ from one part of the province to another as he seeks delegates from here and delegates from there.

I cannot help but observe to the member for Kitchener (Mr. Breithaupt)—and I say this in a very kindly fashion, because very few people know it, and he will never confess it at the Liberal convention—that we are very distantly related by marriage. I say that to the member for Kitchener, as he will never mention—

Mr. Breithaupt: I am trying to make the distance even wider.

Hon. Mr. Davis: I know the honourable member is trying to create as much distance as he can. But I read observations that he is trying to create for himself the image of the present Premier of Ontario, a man of some substance. I have to tell him that he has not been noticing me very carefully. I have reduced some of my substance. I think he should do the same. He is a man of stability, a small-c conservative.

I happen to know his family very well. His uncle used to share part of the summer with my father, and they used to debate politics. We always came away from those discussions saying the former Lieutenant Governor and member of the House of Commons, Louis Breithaupt, whom I call Uncle Louis because of marriage, was far more Conservative than my late father.

I know the member’s family; I know it is Conservative at heart. I know he will go to that Liberal convention and say: “Vote for me. I will give the Liberal Party new direction, but inwardly I am a Conservative and that will give me the best of both worlds.” I know that is exactly how he is going to do it. I wish him well.

I wish the member for Kitchener-Wilmot (Mr. Sweeney) well. I wish the member for London Centre well, and the member for Hamilton Centre (Ms. Copps). She has a dimension aesthetically that none of the rest of the members can add. I have to tell the members, if the convention makes its judgement on that, the fellows might as well all stay at home. I tell them right now.

I also hear rumours that others may enter the lists. I wish them well too. I hear rumours of federal intervention. I know the members of the Liberal caucus of Ontario would never tolerate the intervention of a federal Liberal bringing with him, as he would, the MacEachen budget and all those things.

I am the last one to give the members opposite any advice, but I would never let a

federal Grit into the Liberal Party of Ontario. It would be their demise. It would be the end. Much as I like opposition, I would hate to have the New Democrats once again as the official opposition for the next 10 or 15 years in Ontario.

Mr. Breithaupt: You would have one less friend.

Hon. Mr. Davis: I have to tell the member, I have always considered him a friend. I mean, I hope the press will report that I consider the member for Kitchener as a friend. That will do him well at the convention.

I cannot leave out the father-in-law of the member for London Centre. I know him to be a nice guy. My only problem is the member for Kitchener-Wilmot. I say to that member, since I do not know any of his relatives, I cannot help him at all.

Mr. Brandt: Because of that, he will win.

Hon. Mr. Davis: One of my own loyal back-benchers says, "Because of that he will win." Who was that? It is obvious the career of the member for Sarnia (Mr. Brandt) in this House may be limited.

However, I do wish the members all well. I have been through the process. I know what it is like. It is inspiring, it is fun, it is hard work. I only hope they do not have as many snowstorms in the next six or eight weeks as I experienced in 1971.

I will not comment on the leadership race in the other party opposite. I personally do not see a ray of light occurring for that party in any event. It just ain't going to happen. It does not matter who they select; because of their philosophy, they are destined for that 18 to 20 per cent of the popular vote in 1985, 1989, 1993, on and on. The member for York South (Mr. MacDonald) knows this. He has been here a long time. He has not seen the percentage of the popular vote change very much.

That is why I hear rumours that if the member for Scarborough West (Mr. R. F. Johnston) is not successful—and I will speak for my colleagues here, we wish him well. We do not know this other guy, except I did know him once. He was up in the gallery when the member for Sudbury was talking about student representation. The member for Riverdale (Mr. Renwick) remembers this. He was one of those students who were being provocative in those days, as I recall, talking about student representation on boards of governors. He was up there. That is my only exposure to him, except when he wanted more student aid. So I do not know him

well, but I know the member opposite well. We would be delighted to have him as the leader of the party. Can I say that for all of us? That is the way it should be.

Mr. R. F. Johnston: I can stop campaigning now.

Hon. Mr. Davis: That just finishes the member's fate. However, I quite sincerely wish him well. A lot of people who have not gone through it do not know that it is a bit of a traumatic experience. So our very best to him.

I have not been invited to either convention. I feel left out. I really thought I would be the keynoter at the Liberal convention, certainly after the number of occasions on which the leader of the Liberal Party of Ontario told me just how closely associated we were with the Liberal Party. Why am I not the keynote speaker? I cannot understand it.

Mr. Peterson: Because you are no good.

Hon. Mr. Davis: I have to tell the member for London Centre that is a better answer than he usually gives. I have to make this observation to him: It takes one to know one.

Mr. Peterson: My mother-in-law is on my side, and my father-in-law is coming over. Just so you know.

Hon. Mr. Davis: I have news for the member for London Centre. He will be lucky if he gets his brother.

I have to say to the member for Ottawa East (Mr. Roy) that we are disappointed on this side. Maybe he is the one who is going to get in at the eleventh hour. Maybe at some moment about two weeks before the convention he will call a press conference and say it is obvious the membership of his party needs somebody who brings a different point of view—

Hon. Mr. Grossman: It has to be Tuesday, Wednesday or Thursday, though.

Hon. Mr. Davis: They need a leader who is going to lead their party on Tuesdays, Wednesdays and Thursdays of every week, who I sense really has his mind and heart set on the Supreme Court of Canada. That is his ultimate objective, nothing so mundane as the leadership of a political party.

I expect when I retire, if and when I do, which is highly unlikely, but if I ever do, I will appear as a lowly barrister before the chief justice, Albert Roy, for the great province of Ontario, as he makes his constitutional judgements of which, if they are no better than the legal advice I get from him here, I would be in fear and trepidation.

Mr. Peterson: They'll be better than that of the present Attorney General (Mr. McMurtry), I will tell you that.

Hon. Mr. Davis: What does my friend mean? I have an Attorney General. Where is he? I had an Attorney General. Where is the Attorney General? Somebody get him for me. I need some help here. I have an Attorney General somewhere in Ontario.

Mr. T. P. Reid: He got picked up by the RIDE program.

Hon. Mr. Davis: Oh, no. That is one thing about our Attorney General. None of the members opposite will ever take him for a ride. That much I will say.

[Laughter].

Hon. Mr. Davis: Who is chuckling down there? You people are to pay attention as your leader speaks. I say to the member for Humber (Mr. Kells), I do not want to be interrupted.

I ask the leaders opposite, and I do not say this to be provocative, as leader of any political party would either of them not be proud to have such a distinguished, dedicated, loyal, competent group of people representing the government's interest in the parliamentary affairs of this province? Applaud yourselves.

3:40 p.m.

Hon. Mr. Davis: I want to make it clear to my colleagues, because I can tell they are wondering about the tenor of my remarks, that I did have lunch today, but I had my usual double soda, in case any of them are assuming anything else. I, too, am concerned about the Attorney General's RIDE program.

To deal with one or two issues of substance: I cannot go through all the legislation, but I want to refer to one bill which I think is symbolic of the process and which is at the same time an indication that in this area, this province takes a back seat to no other jurisdiction anywhere in Canada or anywhere in North America. I refer to Bill 7.

It was a bill that caused difficulty. It was a bill that provoked substantial debate, but it was a bill that indicated to the people of this province—and I give members opposite some credit for some of the modest modifications that took place—that on the very important and fundamental issue of what we as Ontario legislators feel about our society, our concern for our fellow human beings, we have put ourselves on record in terms of those amendments to the human rights code in a way that puts Ontario

once again in the forefront of recognizing the sensitivity, the humanity and the civility that have to be part of our way of life here in Ontario.

I cannot think of any other more symbolic or important piece of legislation in this past session that really relates to what we feel as individuals about other people—people who are not as fortunate as ourselves in many respects, people who have had to struggle in terms of their place in Ontario society.

I can recall as Minister of Education, and this is perhaps why I am somewhat caught up in this subject, when the late Alex MacLeod—a former member, who sat with one other member as a very major political party, the two of them, and who was somewhat involved with the human rights commission—came to me, as Minister of Education, and sought not my support but the use of my office and that of the Ministry of Education to communicate to the school system of this province the activities, the function and the philosophy of the human rights code. It was something we started together that I felt was important in terms of getting across to the young people of this province what this kind of policy and what this kind of legislation mean.

We have seen it evolve. We have seen progress being made. We have seen society change very fundamentally over the past 15 or 20 years. We see it in the makeup of this Legislative Assembly. We see that this House has changed in terms of its membership. I am not referring to the numbers on either side of the House. We see it in our urban areas; we see it in our rural communities.

Without getting into any of the specifics, I think this bill as a symbolic measure is an indication of where this province stands, in spite of the controversy, even a little bit within our own party. Some people in our party had reservations about some sections of the bill. But that is the price of leadership. That is what we understand. None the less, it has been passed. And it has been passed not just by the government—it was not a case of using the majority in the democratic and parliamentary system—but by members of this House, because I think we all share that commitment.

I could single out other areas of activity but I shall not. I will move to some aspects of the economy, because I do want to relate to and comment on two or three of the observations made by the member for Hamilton West. I made a very brief observation in the opening of my estimates—where I was faced with so many hard-hitting questions, none of them related to

the modest budgetary items in the Premier's Office and the Cabinet Office. I do want to make some general observations about the economy.

I know what the Leader of the New Democratic Party was saying. I know what all of us are saying. We are concerned in this province. No one is going to minimize the impact or the influence of the existing economic situation. No one is attempting to minimize it. Nor are we as a government saying that we have the panacea or the solution to every single problem that exists. But I think it is incumbent upon us as well to keep these issues in perspective. It is easy to emphasize the problems. It is easy to emphasize the negatives, but I think it is also essential to recognize that in so many areas this province, even in spite of the problems, has been making significant economic progress.

I am not going to get into the numbers game. I am not going to remind all of us that we have created, even with the situation, some 114,000 new jobs, year after year. I am not going to mention some of the growth in some sectors, because no one is going to quarrel with the impact of what is happening in the economies, incidentally, even in Japan, in terms of the international situation.

I go to our own budget, and while it is now several months ago that it was introduced, it recognized the economic realities. It was sensitive. It determined the priorities, as we as a government saw them, and I think history will record that we were able to identify them in a meaningful fashion.

We have discussed one of the areas of priority at length, the health field, and I will not get into a debate of it today, except to make a general observation. The Treasurer (Mr. F. S. Miller) may correct me, as he does on occasion if my figures are not correct, but the recent commitment given by the Minister of Health (Mr. Timbrell), with the support of the Treasurer, will mean that the health system generally in fiscal 1981-82 will be receiving an increase of some 17 to 18 per cent. One can hardly construe that as giving it less of a priority than it deserves. It represents, without question, the commitment of this government to provide to the people of Ontario what they already have: the finest quality health delivery system anywhere in North America, and I say that advisedly and objectively.

No one is going to minimize the problems facing our universities. The Minister of Colleges and Universities (Miss Stephenson) and I, have

been asked the odd question, and the Leader of the Opposition has raised this issue in the House on occasion. I make it clear that this government does not underestimate the problems facing the post-secondary institutions in this province in a financial sense, nor is it fair to state that we will realize all of their expectations.

I take some modest interest in our post-secondary system. I say to the member for Kitchener-Wilmot (Mr. Sweeney), when he was one of my academic advisers and then so supportive, I remember the odd speech he used to make about the former Minister of Education, the directions the educational community was taking, and I thought at that stage he must have been either intelligent or a Tory, in fact, maybe both. I say to him, having had some modest involvement with the college system and having been part of the growth of the university system, that we may not meet their expectations. I think it is impossible for us to do so in many fields. I can only say that while they have problems, the universities are making progress. They are still quality institutions, and they are going to stay quality institutions.

Can I give one or two examples, on a comparative basis? I should not confess this, but on occasion I do involve myself in some cultural activities. I was at a great American university not too many weeks ago, one well known to the member for Windsor-Walkerville (Mr. Newman); he is only about 46.5 miles away from that great institution. I met the president, who is a former Canadian and perhaps still is a Canadian—his brother is up at the Ontario Institute for Studies in Education—and it was interesting to find out from him and the president of Ohio State University that both institutions, at mid-year, had absolute reductions of five per cent in their budgets from the state governments because they were faced with the same sort of economic climate.

We in this province have never asked our universities to take a mid-term or mid-year straight cut in government support. We have given the universities increased funding, and we will continue to do so; so those part-time lecturers at York University will still be able to receive their modest honorariums for those very excellent lectures delivered on political science, about which they do not always know of what they are speaking. I say that with kindness, I say that objectively, having talked to one or two students.

I say, and I am not being partisan, that part of the problem we face at this moment, in Decem-

ber 1981, relates not to the budget of the Treasurer of this province but to the budget of the Minister of Finance of Canada. In 11 minutes, when he releases a paper, I hope we will get information that the Minister of Finance may recognize some of the concerns expressed by the Treasurer of this province. It is to be hoped that there will be some move by the government of Canada.

3:50 p.m.

They should not be worried about face or credibility. They should recognize it is not a budget that taxes the rich. It is a budget that interferes with the economic growth and security of middle-income people. It is a budget, I say to the member for Hamilton West (Mr. Smith), that attacks the thing he referred to as confidence on the part of the Canadian people.

It is a budget that leaves a sense of uncertainty and insecurity. It is the budget of the Minister of Finance, and I emphasize to the member for Niagara Falls (Mr. Kerrio) that I do not say this in any partisan sense. I mean it. It is a budget that has to be reassessed. The observations made by our Treasurer were thoughtful, logical, intelligent and perceptive. Is there anything else I should say? He will be listened to in the deliberations made by the Minister of Finance of Canada.

I want to say goodbye to the wife of the member for Hamilton West (Mr. Smith). I was not going to say goodbye to him. I would rather say goodbye to his wife any day. I am sure he would too. Goodbye, Paddy.

I could wait until the member for Hamilton West comes back, but I shall not. I know the member for London Centre, who does not agree with all the things said by his leader on some aspects of the economy, will relay what I am going to say.

I listened with genuine interest to some of the observations made by the member for Hamilton West. I want to make this statement and make it very clearly. In some respects, I do not think there is any major difference of opinion in terms of what may be the solutions or the seriousness of the problem.

We may have certain differences. I could have a little fun here. While I admit that Suncor is not geographically located in Ontario, I can think of no better articulation of the need for Canadians and the Ontario government to re-Canadianize some aspects of the resource sector than was made by the member for Hamilton West, no better articulation in support of the acquisition of 25 per cent of Suncor than I

heard at 3:35 p.m. this afternoon. It is a clear indication that when he leaves the partisan feeling behind and speaks from his heart, he understands what this government is doing with respect to its support of Canadianization.

I expect when the member for Hamilton Centre (Ms. Coppins) faces the Liberal convention, she too will be in support of the Suncor purchase. She is already concerned about the sulphur emissions in Alberta which is a clear indication that she is in support of that acquisition.

I do not share some of the historical feeling. I do not think it is wise to compare this country or this province with Japan. It is not wise even to compare us with the United States. The United States has an economic history of some 200 years.

Mr. Peterson: You just compared Michigan's with our university system.

Hon. Mr. Davis: No, I am not comparing the quality of it. Ours is better. I am just comparing the financing. I say to the member for London Centre (Mr. Peterson)—no, the member for Hamilton West is back. One has to keep these things in perspective. One has to remember that the US economy historically is economically many years older than our own.

If one goes back before the First World War and after it, prior to the Second World War, when one allocates or assesses historically the investments made by the United Kingdom, Germany and France in the economic growth of the United States, and if one remembers why some of that investment was terminated to pay debts et cetera, they too had a fair amount of offshore involvement in their economic growth.

As the leader of a government and as a Canadian, I share the desire to have greater Canadian control over our economic future. But I say to the leader of the Liberal Party of Ontario, it has to be balanced. It is not something one is going to do in six weeks, six months or even six years.

Perhaps I have a different perspective on the activities of the manufacturing sector. When I look at the present economic situation, when I look at the decisions being taken by the multinationals, I have to argue with respect to layoffs in the automotive sector, for example, that in fairness or logic we really cannot argue that we have been treated differently from those branch or home office plants in various parts of the northeastern United States.

It is important to understand that while there is Canadian capital available and no one mini-

mizes that, none the less, for economic growth in this country we must still have investment from off shore. The reality is there and it has to happen.

Perhaps I am a little more optimistic about the future of this province and this country. From my perspective, perhaps I have a greater measure of confidence than has the leader of the Liberal Party. I am not sure. He talks about major projects. I can give him one or two examples. I am not doing it to be provocative, but he talks about major projects in which Canadians should take some pride. I can give him four.

Come with me to Pickering, to Bruce and to Darlington. In terms of world technology and impact on the economy, in terms of what they mean to the future of the people of this province, they have to be as significant as the tar sands or many other projects by other corporations. I should remind the leader of the Liberal Party that Ontario Hydro is home-grown; it is Ontarian and Canadian.

It was Ontario Hydro engineers at Atomic Energy of Canada Limited who developed the Candu system. I am prepared to say it is superior to any comparable technology anywhere in the world. I think history will show—in fact, the history is still being written—that this is a Canadian accomplishment that will have a major impact in economic development in other nations of the world as we go down the road. That is something of which we as Canadians should take pride. I do not say this to be provocative, but I hear very little credit from the benches opposite with respect to the leadership being given by Ontario Hydro in this important field.

I will go to one other example, the Urban Transportation Development Corporation. I know that does not have great appeal, but I have to tell the member for Hamilton West that while I know it was appropriate to be political and partisan, the fact is that we are on the verge in Detroit, we won it in Los Angeles and we are building it in Vancouver.

I wish the member for one of the Wentworths was here. The member for Wentworth North (Mr. Cunningham) was not very helpful during the Vancouver negotiations of the contract. I heard a lot about Japan. The reality is, once again, that Canadian technology beat out the Japanese, the West Germans, the French, the British and the Americans. We should take some pride in these things.

As the Leader of the Opposition moves on,

perhaps he will be convinced to become supportive of that Canadian technology, that degree of Canadian expertise and excellence and the quality about which he was speaking.

One can go back in history and look at some other accomplishments, one of them belonging to my predecessor. I refer to the St. Lawrence Seaway, which in economic terms has had a major impact and which needs to be further exploited in terms of the economic growth of this province.

I could say to the member for Hamilton West: "Trace the history. Look at what we have achieved." I think one should have a greater measure of confidence. I have made speeches ad nauseam on the need for Canadians to take greater pride in ourselves and what we have done, but I think I have a greater measure of hope or expectation that we will be able to achieve these things in the future.

I want to say in concluding that while I know the members opposite will not support this budget, when I look at what we have done, when I look at the relative position of Ontario not only within Canada but also within North America, I say to the Treasurer of this province that it is his economic leadership and his budget that have given us, in spite of the difficulties, one of the better standards of living anywhere in the world, a social sense that is important and an optimism and confidence for the future that I think is incumbent upon each and every one of us.

In concluding these brief observations, I want to take this occasion to wish each and every member of this Legislature the very best for the holiday season and a very pleasant Christmas with their families.

I have a special word for the Leader of the Opposition. We not only wish him well but also when, not if, he gets to the Science Council of Canada, when he becomes chairman and as he sorts out these issues, he will be able to give some leadership in the discharge of that important responsibility that takes into account what we have done with Candu, Hydro, UTDC and those many other Canadian scientific achievements where, as I hear the rumours, he may have some remote involvement by roughly the middle of February. If it turns out to be true, we wish him well.

4 p.m.

Mr. Speaker: It might be appropriate if all members do not have to leave the House. If they remain where they are, we could vote almost immediately.

4:13 p.m.

The House divided on Mr. Wildman's amendment to the amendment to the motion, which was negatived on the following vote:

Ayes

Bradley, Breithaupt, Cassidy, Charlton, Conway, Cooke, Copps, Cunningham, Di Santo, Eakins, Edighoffer, Elston, Epp, Foulds, Grande, Johnston, R. F., Kerrio, Laughren, MacDonald, Mackenzie, Martel, McGuigan, McKessock;

Newman, Nixon, O'Neil, Peterson, Philip, Reed, J. A., Reid, T. P., Renwick, Riddell, Roy, Ruprecht, Ruston, Samis, Smith, Spensieri, Sweeney, Van Horne, Wildman, Worton, Wrye.

Nays

Andrewes, Ashe, Baetz, Barlow, Bennett, Bernier, Birch, Brandt, Cousens, Cureatz, Davis, Dean, Drea, Eaton, Elgie, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Harris, Henderson, Hennessy, Hodgson, Johnson, J. M., Jones, Kells, Kennedy, Kolyn, Lane, Leluk;

McCaffrey, McCague, McLean, McNeil, Miller, F. S., Mitchell, Norton, Piché, Pollock, Ramsay, Robinson, Runciman, Scrivener, Sheppard, Shymko, Snow, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, G. W., Timbrell, Treleaven, Villeneuve, Watson, Welch, Wells, Williams, Wiseman, Yakabuski.

Ayes, 43; nays, 61.

The House divided on Mr. Peterson's amendment to the motion, which was negatived on the same vote.

The House divided on Hon. F. S. Miller's main motion, which was agreed to on the same vote reversed.

Mr. Speaker: I declare the motion carried. It is resolved that this House approves in general the budgetary policy of the government.

SUPPLY ACT

Hon. F. S. Miller moved, seconded by Hon. Mr. Davis, first reading of Bill 209, An Act for granting to Her Majesty certain sums of money for the Public Service for the fiscal year ending March 31, 1982.

Motion agreed to.

Second and third readings also agreed to on motion.

4:20 p.m.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

Hon. Mr. Aird: Pray be seated.

Mr. Speaker: May it please your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request your Honour's assent.

Assistant Clerk: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 2, An Act to amend the Toronto Area Transit Operating Authority Act;

Bill 53, An Act to amend the Public Transportation and Highway Improvement Act;

Bill 93, Dangerous Goods Transportation Act, 1981;

Bill 147, An Act to facilitate the Negotiation and Resolution of Municipal Boundary and Boundary-related Issues;

Bill 160, An Act to amend the Public Commercial Vehicles Act;

Bill 178, An Act to amend the Highway Traffic Act;

Bill 191, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill Pr21, An Act respecting the Trusteeship of the Balance Share Warrant of Global Natural Resources Limited.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

Mr. Speaker: May it please your Honour, we, Her Majesty's most dutiful and faithful subjects of the Legislative Assembly of the province of Ontario in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government, and humbly beg to present for Your Honour's acceptance, a bill entitled An Act granting to Her Majesty certain sums of money for the Public Service for the fiscal year ending March 31, 1982.

Clerk of the House: The Honourable the Lieutenant Governor of Ontario doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

The Honourable the Lieutenant Governor was pleased to deliver the following gracious speech:

PROROGATION SPEECH

Hon. Mr. Aird: Mr. Speaker and members of the Legislative Assembly: I am pleased to address you on this occasion, and to review some of the activities of this First Session of the Thirty-Second Parliament of Ontario.

In the past year and more, the major issues for Ontario, as for other provinces, have been matters of wide national significance, and the strength of our nation has been tested on several fronts.

The tensions of the constitutional debate, which had dominated the affairs of the nation, seemed to increase rather than diminish in the eyes of Canadians following the decision of the Supreme Court of Canada on September 28. In light of the accord of November 5, signed by nine of the provinces and the federal government, the long-standing support of all sides of this Legislature for Ontario's basic position may be proudly placed on the record.

Ontarians rejoice with the rest of the nation on the passage of the constitutional resolution by the federal parliament. We look forward to the historic day of patriation.

La joie éprouvée par la population de l'Ontario au moment où le Canada est à la veille de se doter d'une nouvelle constitution est teintée de regrets car le gouvernement du Québec est en désaccord avec le reste du pays. Nous espérons sincèrement et ardemment que l'on trouvera bientôt un terrain d'entente qui assurera, à cet égard, l'unité de l'ensemble du Canada et de l'ensemble des Canadiens.

Financial matters and the economy in general have been a primary concern throughout the year. Ontario shares, with the other nine provinces, concern about large-scale reductions in federal transfer payments, as proposed in current negotiations and in the recent federal budget. Ontario has, moreover, expressed strong views on the negative aspects of the budget itself, in relation to providing needed stimulus for investment and economic development, and has urged that specific measures be reviewed.

Within its capacity to do so, the province has adopted a number of measures to maintain economic stability and encourage economic growth. These activities have been largely consolidated in the new BILD program, which was established at the beginning of the year. The Board of Industrial Leadership and Development is responsible for designating specific projects within a total amount of \$1.5 billion over five years, to be spent by government and the private sector, to give increasing vitality and necessary redirection to the Ontario economy.

After the first nine months, the record of the BILD program stood at \$614 million in committed funds for projects over the five year period, of which \$145 million will go to approved projects in the current fiscal year. BILD funding

has stimulated private sector and other government investments to the extent of a further \$275 million.

Within the BILD program, the government has embarked on a wide range of projects in such areas as communications technology, including Telidon; forestry; agricultural education; industrial and agricultural storage and packing; community development corporations; youth employment counselling; mineral research and development; tourism marketing; alternative transportation fuels; and development of a world-scale biotechnology company.

4:30 p.m.

The government has every confidence in the contribution of these initiatives, and of the BILD program as a whole, towards increasing the long-term productive potential of the province's economy.

The economic pressures during the course of the year have been hard on all sides. Sustained high interest rates, which have only recently eased downwards, dealt a particularly harsh blow to farmers and home owners, prompting the need for supportive measures.

Low prices exacerbated the credit problems faced by livestock producers, whose income accounts for more than one third of farm gate receipts. Under an emergency plan announced in June, the province allocated \$37 million for cash payments to see beef producers through this hardship. As of December 1, an additional \$20 million is being made available to cow-calf producers, to help maintain the stability of the beef industry, in the absence of an adequate national program.

Among measures taken during the year to meet needs in the housing field were: the Ontario neighbourhood improvement program, the Ontario rental construction loan program, and the residential energy advisory program. Reductions in the differential between rural and urban hydro rates have been authorized under amendments to the Power Corporation Act.

Legislation was passed to enlarge the mandate of the former Ministry of Housing to incorporate municipal affairs. A new approach to amalgamation or boundary disputes between municipalities is now law. The new Planning Act has had second reading and will receive committee consideration over the winter.

In order to ensure greater participation by Ontario in the Canadian petroleum industry, and as an investment in the province's future, the government has entered into arrangements for the purchase of 25 per cent of the shares of

the Sun Company Incorporated, Pennsylvania. Under the proposal, as announced, other Canadian investment will be sought to bring the level of Canadian ownership of shares in Suncor to 51 per cent in the near future.

The shift from more traditional industries to new technologies is making itself felt. In certain sectors of the economy, the impact of these changes has resulted in harmful employee layoffs. At the same time, the demand in newer areas and particularly in advanced technology skills, is rapidly increasing.

Our educational institutions have a crucial role to play in helping society to meet these changes. Two studies, commissioned by the government last year, were published this fall, namely the report of the secondary education review project and the final report of the committee on the future role of universities in Ontario.

Various programs are in place to forge stronger links between the educational and industrial sectors. Over \$3 million in BILD funds have been allocated to the colleges of applied arts and technology to support 320 training programs. More than 12,250 training positions have been created.

As well, \$8 million in BILD funds have been used to provide technology equipment in the colleges, including items for electronics engineering technology programs, a robotics and fluid power laboratory, computer-controlled metal turning and milling machines and equipment for a videotex training centre.

Tourism in Ontario had the best year ever in 1981, with especially high gains in visits from the United States. Apart from the favourable exchange rate on US funds, we can point to the appeal of the "Ontario—Yours to Discover" emblem and campaign as having a lot to do with this success.

The report of the royal commission on pensions, published early this year, has received wide attention. A first response has since been prepared by a select committee of the Legislature, with recommendations for implementation proposals.

Pensioners, lower-income earners and persons on fixed incomes have been granted a new home heating tax credit to protect against cost increases through amendments to the Ontario Pensioners Property Tax Assistance Act and the Income Tax Act. About 1.4 million households will benefit from these measures.

Standing committees of the House have given thorough consideration to the Ontario Human Rights Code 1981 and to new legislation for civilian review of complaints against the police, the latter being a pilot project specifically for Metropolitan Toronto.

The revisions to the human rights code are among the most extensive in its 19-year history and now include handicapped, marital and family status as prohibited grounds of discrimination, among other provisions. In passing this legislation, this House can feel justifiably proud of a statute which reflects the high public conscience of Ontario's citizens.

Services for francophone citizens have been markedly improved. An advertising campaign and the new Renseignements Ontario program have served an extremely useful purpose in promoting services available in French throughout the government. The right to use French in civil trials, to come into effect next April 1, will cover 80 per cent of Ontario's francophone population. Access to bilingual criminal trials is already available to 100 per cent of the French-speaking population.

Administration of the government-wide customer service program is now concentrated in a new service development division of the Ministry of Government Services, reinforcing the continuing high priority of this aspect of government operations.

The International Year of Disabled Persons received widespread recognition throughout the community. A government-sponsored advertising campaign to heighten public awareness and participation met with tremendous success. New initiatives affecting several existing government programs for disabled persons included the extension of basic eligibility for family benefits, additional attendant care services, improved access to provincial parks and revised rules for sales tax rebates on vehicles for use by the disabled.

Long-lasting benefits to the disabled will also derive from amendments to regulations under the Building Code for better access to newly constructed buildings, and from a Wintario capital grant for improvements to public cultural and recreational facilities.

Honourable members, these and other matters have provided a full agenda for this Legislature throughout the session. They are indicative of the wide concerns that prevail in our large and complex society. The demands on

government and the responsibilities you bear in responding to them have been considerable and, at times, onerous. I commend your sense of duty and the progress you have achieved.

In closing, may I take this opportunity to wish

you a safe and pleasant holiday season.

In our Sovereign's name, I thank you.

I now declare this session prorogued.

The House prorogued at 4:40 p.m.

ERRATUM

No.	Page	Column	Line	Should read:
127	4569	2	21	premium, \$6,500; salary equalization adjust-

APPENDIX A

ANSWERS TO QUESTIONS ON NOTICE PAPER*

QUEEN STREET MENTAL HEALTH CENTRE

151. Mr. McClellan: Would the Minister of Health provide the guidelines in general, if any, which are established for physicians at Queen Street Mental Health Centre, in prescribing drugs for psychotic disorders and specifically any guidelines for use of these drugs: (a) in dosages in excess of CPS guidelines, and (b) length of time over which such drugs may be prescribed? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: It is the role of the medical director to provide guidance for the pattern of practice within the facility; the medical director is in charge of all forms of treatment and offers his professional advice and consultation to staff physicians on these matters.

In addition, both the medical director and the director of pharmacy collect and distribute articles from professional journals on drugs and current activities in medical practice. These are routinely distributed to clinical staff as a means of providing updated information on areas of interest.

153. Mr. McClellan: Would the Minister of Health indicate whether there are currently any night care programs for ex-psychiatric patients at Queen Street Mental Health Centre? If not, are there any such programs currently being planned? Please include a brief description of current or planned programs. (Tabled October 16, 1981.)

Hon. Mr. Timbrell: Queen Street Mental Health Centre provides evening duplicates or continuations of day programs for those patients who are occupied during the daytime, at work,

school, or visiting home. This target population includes both inpatients and outpatients, who attend programs at Queen Street, the Lakeshore site and some satellites.

The program content of these services may vary from time to time, but includes small group activities, occupational therapy, individual counselling, community meetings, art, films, bowling, music, audio-visual groups, chemotherapy, vocational counselling, relaxation exercises, group therapy, discussion groups, Alcoholics Anonymous meetings, aftercare visits, resocialization, and long-acting neuroleptics therapy.

154. Mr. McClellan: Would the Minister of Health indicate what percentage and total number of heads of staff at Queen Street Mental Health Centre come from the following backgrounds: medicine, psychology, psychiatry, nursing, social work and other (please specify)? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: The total number of heads of staff at Queen Street Mental Health Centre is 40.

The breakdown is as follows: medicine, 25 per cent; psychiatry, 15 per cent; psychology, two per cent; nursing, two per cent; social work, two per cent; other, 25 per cent; other and support staff—clinical services, 20 per cent; administrative, et cetera, 25 per cent.

The sum of the percentages exceeds 100 because of overlapping of staff in professional categories as well as numerical rounding in specific categories.

155. Mr. McClellan: Will the Minister of Health table any studies or evaluations undertaken by either ministry staff or Queen Street Mental Health Centre officials on the correla-

tion between class or ethnic status and resultant treatment? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: The ministry is unaware of any such studies.

156. Mr. McClellan: Will the Minister of Health table the interim consultants report by Peat Marwick on Queen Street Mental Health Centre? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: The ministry will make public the final report of Peat Marwick and Partners' review of Queen Street Mental Health Centre.

157. Mr. McClellan: Would the Minister of Health please provide a description of each of the nondrug therapy programs that are in effect for patients at Queen Street Mental Health Centre, including number of patients involved in each program, and number and discipline (e.g., nurses, social workers, et cetera) of personnel involved? Would the minister also give a financial breakdown of funding for each nondrug therapy program? (Tabled October 16, 1981.)

158. Mr. McClellan: What percentage of patients at Queen Street Mental Health Centre receive nondrug therapy? On average, what percentage of patient's time is spent on non-drug therapy per day? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: Treatment programs at Queen Street Mental Health Centre are designed in the first instance to address the specific needs of the patient. The decision about medication is based on the professional judgement of the attending physician. Drug therapy, when prescribed, is an adjunct to other forms of therapy. Therefore, all patients and all staff are involved in nondrug therapy programs.

159. Mr. McClellan: Can the Minister of Health indicate the number of patients at Queen Street Mental Centre currently receiving the following drugs: (a) chlorpromazine; (b) phenothiazine; (c) meprobamate? In his reply, would the minister indicate: (a) the average dosage of each of these drugs; (b) the range of dosage minimum to maximum; and (c) the incidence of these drugs being prescribed in amounts exceeding the 1981 CPS guidelines? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: This information is not maintained in a format which would allow such totals to be extracted. A lengthy manual search of individual patient charts would require the

diversion of a substantial number of staff from essential duties in the hospital. As a result the ministry cannot answer the question.

160. Mr. McClellan: Would the Minister of Health indicate what percentage of psychotherapists at Queen Street Mental Health Centre now come from the following backgrounds: medicine, psychology, psychiatry, nursing, social work and other (please specify)? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: The term "psychotherapy" is not formally defined except in relationship to the OHIP schedule which relates to physicians' billing.

170. Mr. McClellan: Would the Minister of Health indicate what proportion of staff and patients at Queen Street Mental Health Centre come from new-Canadian cultures? What proportion of staff and patients at Queen Street Mental Health Centre speak languages other than English or French? Would the minister provide details on what facilities and programs are available at Queen Street Mental Health Centre for new-Canadians, such as translation and interpretive services, and include in his reply, number of staff involved in each program and range of new-Canadian groups served? (Tabled October 20, 1981.)

Hon. Mr. Timbrell: If a patient is in need of an interpreter, then appropriate translation is found. To achieve this service, Queen Street Mental Health Centre maintains lists of available interpreters at central admitting, chaplaincy office, and in the personnel department. This roster is by no means a complete register of multilingual staff, but does identify 120 staff members who are conversant in some 30 languages.

The co-ordinator of admissions also maintains contact with interpreter services in the community. In co-operation with the Ministry of Education, daily on-site English classes are offered to inpatients and outpatients by George Brown College.

171. Mr. McClellan: Would the Minister of Health indicate what measures are in effect at Queen Street Mental Health Centre or planned to ensure: (a) the availability of non-sexist therapy; and (b) to sensitize staff to sexist practices? (Tabled October 20, 1981.)

Hon. Mr. Timbrell: All programs at Queen Street Mental Health Centre are therapeutically designed for the best interest of all patients.

172. Mr. McClellan: Would the Minister of Health indicate what attempts are now being made to give patients at Queen Street Mental

Health Centre the benefits of the multidisciplinary backgrounds which now make up the psychotherapeutic community? (Tabled October 20, 1981.)

Hon. Mr. Timbrell: All patient care is delivered in a multidisciplinary therapeutic milieu.

COST OF PSYCHIATRIC BEDS

161. Mr. McClellan: Would the Minister of Health provide the current average per diem cost of a bed in Ontario's 10 provincial psychiatric hospitals? Please include a breakdown as to what this cost represents with reference to salaries and benefits, supplies, services and administrative costs? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: The average per diem cost of a bed in provincial psychiatric hospitals is \$136.69, which is broken down as follows: salaries, \$101.35; benefits, \$17.54; other supplies and expenses, \$17.24; equipment and vehicles, 56 cents; total, \$136.69. Source: monthly operating statements as of August 1981.

162. Mr. McClellan: Would the Minister of Health provide the current average per diem cost of a short-term psychiatric bed in public hospitals in Ontario? Please include a breakdown as to what this cost represents with reference to salaries and benefits, supplies, services and administrative costs? (Tabled October 16, 1981.)

164. Mr. McClellan: Would the Minister of Health provide a breakdown of the institutional health services budget for all expenditures related to mental health services other than psychiatric hospitals, for the fiscal years 1975-76 through 1980-81 and projected 1981-82, including salaries, wages and benefits, services and administration costs? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: This information is not available in the format requested as public hospitals in Ontario are funded globally.

COMMUNITY HEALTH SERVICES

163. Mr. McClellan: Would the Minister of Health provide a breakdown of the community health services program (adult and children divisions) budgets for fiscal years 1975-76 through 1980-81 and projected 1981-82, including salaries, wages, benefits, services and administrative costs, for all items related to mental health services? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: The community health services group has never been organizationally divided into adult and children's divisions.

Adult community mental health is a transfer payment, and the ministry does not aggregate expenditures for the categories requested.

167. Mr. McClellan: Would the Minister of Health indicate the per cent of the total community health services budget which is directed toward mental health for fiscal years 1975-76 through 1980-81 and projected 1981-82? (Tabled October 16, 1981.)

Hon. Mr. Timbrell: Adult community mental health is a transfer payment item in printed estimates. Other community health services transfer payment programs which impact on mental health are not aggregated in the categories requested.

PSYCHIATRIC HOSPITAL BUDGETS

165. Mr. McClellan: Would the Minister of Health provide a breakdown of the budget for psychiatric hospitals under the institutional health services program for the fiscal years 1975-76 through 1980-81 and projected 1981-82, including salaries, wages and benefits, services and administration costs? (Tabled October 16, 1981.)

Hon. Mr. Timbrell:

Printed	Projected Actual	Estimates Actual
1975-76	\$131,186,200	\$137,681,600
1976-77	135,887,100	148,839,700
1977-78	151,922,000	146,670,000(1)
1978-79	150,750,300	151,741,900
1979-80	152,232,800	164,628,900
1980-81	159,058,800	176,310,600
1981-82	172,911,800	\$193,544,800*

*Includes salary awards of \$17,590,000 and related employee benefits of \$3,043,000.

(1) Transfer of Thistle town to Ministry of Community and Social Services during fiscal year 1977-78.

BILD PROGRAM

186. Mr. Wildman: Would the Treasurer provide the following figures: (1) the total number of projects approved and funded under the BILD program to date; (2) the total amount of provincial funds invested in BILD projects; (3) the total amount of capital invested in BILD projects by the private sector; (4) the total number of private firms participating in the BILD program; (5) the total amount of funding from the federal government for BILD projects; (6) the number of jobs developed and projected as a result of the BILD projects now on stream;

(7) the number of projects currently under consideration for funding under the BILD program? (Tabled November 2, 1981.)

Hon. F. S. Miller: 1. To date, BILD has approved and announced 48 programs.

2. BILD has committed a total of \$663 million in provincial funds to these programs over a five-year period.

3. The private sector has already committed a total of \$210 million to these specific programs. It should be noted, however, that these programs are in their first year and many of them—for example, assistance for food processing facilities and assistance for high-technology firms—will be undertaking specific new projects each year thereby increasing private sector participation.

4. To date, there are 326 private firms involved. Again, it should be stressed that several programs are still in the very early stages and are now reviewing applications. In the cases of mining incentives or custom gold milling, for example, decisions are pending which will result in involvement by several private firms.

5. At this time, the federal government has committed \$31.9 million to specific BILD programs. However, discussions are now taking place and it is hoped that the federal government will in fact participate in other BILD initiatives.

6. The BILD programs approved to date will create an estimated 21,000 direct jobs over the next five years. In most instances, new jobs will be created as these projects start up this year, but since many of the programs will become fully operational over time, estimates are based on a five-year horizon. It should be noted that these estimates do not incorporate any calculations of indirect employment likely to result from BILD activities, since this will depend to a large extent on the degree of success experienced by the initial BILD initiatives. In the case of educational microtechnology, for example, few jobs will result from the initial BILD investments. If successful, however, a significant number of new jobs could be expected in the production and distribution of computer hardware and software for use in school systems. It should also be noted that job estimates are based only on the 48 BILD initiatives approved and announced to date.

7. There are 36 programs currently under consideration by BILD or expected to be considered by BILD in the future.

COSTS OF BUDGET MEASURES

192. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the repeal of succession duties? What revenues were lost on the basis of a basic allowance of \$150,000 when succession duties were levied? Will the ministry, where relevant, provide a breakdown by fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The question is asking for the tax revenue forgone as a result of the basic exemption of \$150,000. People whose estates fell under this limit were not even required to file a return; hence there is no information available on whether the exempt estate was valued at, for instance, \$10 or \$149,000. The absence of this information makes it impossible even to guesstimate on the tax revenue forgone as a result of the exemption.

In 1975 the basic allowance was increased to \$250,000, and in 1977 to \$300,000. The estimated cost of revenue forgone as a result of these two moves was \$8 million in both cases. In the 1979 budget, the Succession Duty and Gift Tax Act was repealed.

Revenues, in millions of dollars, from succession duties for taxation years 1975 to 1981 were: 1975, 64; 1976, 62; 1977, 73; 1978, 63; 1979, 47; 1980, 25; 1981, 5.

193. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the depletion allowance for mine operations in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: At this point, no estimates for this tax expenditure are available.

194. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the dividend gross-up and tax credit for individuals in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in

millions of dollars, of this tax expenditure for tax years since 1975 is: 1975, 25; 1976, 26; 1977, 37; 1978, 114; 1979, 142; 1980, 163; 1981, 186.

195. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the 100 per cent write-off for qualifying assets related to a new mine or to a major expansion of an existing mine, for applicable years in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 to 1977, n/a; 1981, *.

*Over 1978 and 1979, the mining tax was substantially revamped. The new structure is a package aimed at a more effective and fair yield from mining operations. Estimates relating to specific components of this package are therefore unavailable. In addition, certain information which might otherwise be available is, under section 11(a) of the Mining Tax Act, restricted due to confidentiality.

Note: n/a—not applicable.

196. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the allowance of procession costs outside of Canada, under the Mining Tax Act, for the applicable years in the following fiscal years: 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 to 1981, *.

*Under section 11(a) of the Mining Tax Act, I am precluded from answering this question since disclosure of such information would make it possible to identify specific taxpayers.

197. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the reduction of the top marginal mining rate from 40 to 30 per cent, for the applicable years in the following fiscal years: 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: Over 1978 and 1979, the mining tax was substantially revamped. The new structure is a package aimed at a more effective and fair yield from mining operations. Estimates relating to specific components of this package are therefore unavailable. In addition, certain information which might otherwise be available is, under section 11(a) of the Mining Tax Act, restricted due to confidentiality.

198. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the increase in basic exemption from mining tax from \$100,000 to \$250,000 of mining profits, for the applicable years in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 to 1978, n/a; 1979, 0.5; 1980, 1.0; 1981, 1.0.

Note: n/a—not applicable.

199. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the capital tax reductions for small corporations, for the applicable years in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 and 1976, n/a; 1977, 3; 1978, 4; 1979, 25; 1980, 49; 1981, 54.

Note: n/a—not applicable.

200. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the tax credits and grants due to small business development corporations for the applicable years in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 to 1978, n/a; 1979, 3; 1980, 14; 1981, 10.

Note: n/a—not applicable.

201. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the nontaxation of one half corporate capital gains income in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 15; 1976, 20; 1977, 23; 1978, 30; 1979, 36; 1980, 50; 1981, 55.

202. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the nontaxation of one half personal capital gains income in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 14; 1976, 17; 1977, 31; 1978, 55; 1979, 98; 1980, 135; 1981, 150.

203. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the \$1,000 investment income deduction in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 74; 1976, 84; 1977, 112; 1978, 129; 1979, 153; 1980, 162; 1981, 171.

204. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the \$1,000 pension income deduction in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 12; 1976, 14; 1977, 18; 1978, 21; 1979, 22; 1980, 23; 1981, 24.

205. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the age exemption under the personal income tax in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 22; 1976, 27; 1977, 40; 1978, 46; 1979, 52; 1980, 57; 1981, 64.

206. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the tax advantage on savings in registered retirement savings plans in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated costs, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 48; 1976, 68; 1977, 98; 1978, 111; 1979, 125; 1980, 133; 1981, 144.

207. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the registered home ownership savings plan deduction in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 10; 1976, 13; 1977, 17; 1978, 17; 1979, 17; 1980, 17; 1981, 17.

208. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the marital exemption under the personal income tax in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 130; 1976, 12; 1977, 192; 1978, 199; 1979, 211; 1980, 232; 1981, 263.

209. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the preferential tax treatment of income debentures and term preferred shares in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: Revenue losses escalated through the mid 1970s to a high of \$50 million in 1979, at which time tax changes removed the preferential treatment for new contracts, but costs associated with old contracts continue until they expire.

210. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of small business tax credit in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 to 1979, n/a; 1980, 12; 1981, 15.

Note: n/a—not applicable.

211. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the fast write-off provisions for new mines, major expansion of existing mines and associated processing facilities in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 to 1978, n/a; 1979, 0.2; 1980, 0.8; 1981, n/e.

Note: n/a—not applicable; n/e—no estimate.

212. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the allowing capital cost allowances on new, multiple-unit residential rental buildings to be claimed against other income in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no

analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this personal income tax expenditure for taxation years since 1975 is: 1975, n/e; 1976, 3; 1977, 4; 1978, 6; 1979, 7; 1980, 8; 1981, 9.

Note: n/e—no estimate.

213. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the unlimited deduction for scientific research expenditures in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 8; 1976, 10; 1977, 12; 1978, 20; 1979, 21; 1980, 23; 1981, 24.

Note: n/a—not applicable.

214. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the accelerated capital cost allowance for machinery and equipment used in manufacturing and processing activity in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 and 1976, nil*; 1977, 70; 1978, 75; 1979, 85; 1980, 95; 1981, 110.

Note: nil*—the federal government guaranteed the provincial revenue losses resulting from paralleling this incentive up to 1976.

215. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the accelerated capital cost allowances for water and air pollution control equipment in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 2; 1976, 2; 1977, 2; 1978, 2; 1979, 2; 1980, 3; 1981, 3.

216. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the preferential tax rate for small business for applicable years in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975, 25; 1976, 46; 1977, 41; 1978, 51; 1979, 71; 1980, 85; 1981, 90.

217. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the three per cent inventory valuations adjustment for applicable years in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 and 1976, n/a; 1977, 40; 1978, 47; 1979, 54; 1980, 60; 1981, 73.

Note: n/a—not applicable.

218. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the deductions for investments in registered venture investment corporations in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 and 1976, n/a; 1977 to 1979, nil; 1980 and 1981, n/a.

Note: n/a—not applicable.

219. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the carry-forward of processing allowances under the Mining Tax Act, for applicable years in the fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The estimated cost, in millions of dollars, of this tax expenditure for taxation years since 1975 is: 1975 to 1977, n/a; 1978 and 1979, nil; 1980, *; 1981, n/e.

Note: n/a—not applicable; n/e—no estimate.

*Under section 11(a) of the Mining Tax Act, I am precluded from answering this question since disclosure of such information would make it possible to identify specific taxpayers.

220. Mr. Wildman: What is the estimated revenue loss to the Ontario Treasury as a result of the repeal of gift taxes? What revenues were lost on the basis of a basic exemption of \$2,000 for any one recipient in any one taxation year and with an annual total of exempt gifts of \$10,000? In each case, will the ministry provide, where relevant, a breakdown by fiscal years 1981-82, 1980-81, 1979-80, 1978-79, 1977-78, 1976-77 and 1975-76? Will the ministry table any analysis it has of this tax expenditure? If no analysis exists, what is the ministry's best estimate of the value of this tax expenditure? (Tabled November 4, 1981.)

Hon. F. S. Miller: The question is asking for the tax revenue forgone as a result of the exemption of \$2,000 on gifts with an annual total of \$10,000. Since gifts below \$2,000 did not require a gift tax return to be filed. It is impossible to estimate the tax revenue forgone as a result of the exemption.

USE OF DEPO-PROVERA

240. Mr. Breaugh: Will the Minister of Health table the current number of non-institutional females receiving the drug Depo-Provera under the jurisdiction of the ministry, and will the minister table the current number of mentally retarded females receiving Depo-Provera as a method of birth control under the jurisdiction of the ministry? (Tabled November 6, 1981.)

Hon. Mr. Timbrell: The ministry is aware of only one female retarded patient who is receiving Depo-Provera. This prescription was ordered by the patient's gynaecologist.

241. Mr. Breaugh: Will the Minister of Community and Social Services table the current number of females receiving Depo-Provera as a method of birth control under the ministry's jurisdiction? (Tabled November 6, 1981.)

Hon. Mr. Drea: There are no females under the ministry's jurisdiction who are receiving Depo Provera as a method of birth control.

OHIP PREMIUM ASSISTANCE

248. Mr. McClellan: How many Ontario residents do you estimate to be eligible for: (a) full OHIP premium assistance; (b) partial OHIP premium assistance (excluding senior citizens and social assistance recipients)? (Tabled November 18, 1981.)

Hon. Mr. Timbrell: The government does not have the means of accurately determining the number of eligible residents.

SALE OF FOOD TERMINAL PROPERTY

256. Mr. Smith: Would the Minister of Agriculture and Food provide the following information concerning the sale in 1980 by the Ontario Food Terminal board of their 196-acre property in the town of Vaughan? (1) When were the lands first listed for sale and what was the date of the sale agreement? (2) The total sale price of the lands. (3) The purchaser of the lands. (4) Which real estate companies was the land listed with? (5) Was the land listed on MLS? (6) Did a real estate company act for the food terminal board? Which one? (7) Was a "for sale" sign placed on the property? When was it placed and removed? (8) Did the board seek any other offers from prospective buyers and were any received? (9) Was the property fully appraised by a qualified real estate appraiser? (10) Did the board appraise a reserve bid on the property prior to offering for sale? (11) May we see a copy of the appraisal report? (Tabled November 27, 1981.)

Hon. Mr. Henderson: (1) Signs advertising the sale of the property were erected on the east and west end of the property during July 1979; March 13, 1980. (2) The board sold 196.393 acres at \$41,000 per acre for a total selling price of \$8,052,113. (3) The Cadillac Fairview Corporation Limited.

(4) A. E. LePage Limited, National Trust Real Estate Division, Garth S. Webb and Associates, Century 21 Real Estate Limited, S. J. Vetere Real Estate Limited, Peter L. Mason Limited, Thrift Realty Limited, Picken and Mason Limited; in addition to these companies, property particulars and survey were sent to over 40 real estate firms and developers who expressed interest in the property.

(5) No. (6) Yes; Harold E. Thrift of Thrift Realty Limited. (7) Yes; signs were placed in July 1979; they were removed after the sale. (8) The board sought offers through 48 real estate firms; five unsatisfactory offers were refused, some of which were conditional and others were for less than the total acreage of land listed for sale.

(9) Yes. (10) No. (11) Yes; a copy of the appraisal report is available at the offices of the Ministry of Agriculture and Food at 801 Bay Street, Toronto; arrangements may be made to see the report by contacting the office of the minister.

FRENCH-LANGUAGE SERVICES

263. Mr. Roy: Will the Minister of Intergovernmental Affairs inform the House whether during the last provincial election, the government promised a \$1-million study of French-language services in Ontario and to make a full inventory of services available and required in Ontario? Has this study been completed? How much was spent in making this study? Who was in charge of this project? When can we expect the government to publish the results of this study? (Tabled November 30, 1981.)

Hon. Mr. Wells: In March 1981 the government announced the commencement of a study on the quality of its services to French-speaking residents in Ontario, to be paid for from a fund of \$1,000,000 which had been allocated to promote the improvement of French-language services.

(1) The study will be completed in January 1982. (2) The cost of the study will be approximately \$100,000. The bulk of the \$1,000,000 fund has been used for grants to voluntary organizations to improve French-language services, and for a program to inform the francophone public about government services available in French. (3) The study is the responsibility of the government co-ordinator of French-language services. (4) A summary of the final report will be included in the annual report of the government co-ordinator of French-language services, to be published in January 1982.

McMICHAEL CANADIAN COLLECTION

264. Mr. Di Santo: Will the Attorney General table the following information: (1) the titles (if any), descriptions, sale prices and recipients of all works of art disposed of (whether by sale or otherwise) from the beginning of the McMichael collection's foundation; (2) the dates of each sale or other form of disposal and for the appraised value of each item at the time it was sold or otherwise disposed of? (Tabled December 1, 1981.)

Hon. Mr. McMurtry: The information requested is not available in the records of the Ministry of the Attorney General and the question should be directed to the Ministry of Culture and Recreation.

STRATEGIC PLANNING FOR ONTARIO FISHERIES

265. Mr. T. P. Reid: Would the Minister of Natural Resources provide up-to-date details of the SPOF program? What is the budget for this year? What were the actual expenditures for the program last year? By how much has the budget been cut back in the last two years? How will the objectives of the original SPOF program be met? (Tabled December 1, 1981.)

Hon. Mr. Pope: This fiscal year, 1981-82, the SPOF program received an additional \$1.3 million, bringing the total new budget for the program, since its inception in 1978-79, to \$4.3 million.

Expenditures in 1980-81 amounted to \$3 million and in 1979-80 the initial allocation for the program was \$2 million. Since the SPOF program was first introduced in 1978-79, funding has been increased by approximately \$1 million per year.

This year the funds are being allocated to the following program areas:

1. Enforcement and harvest assessment—Additional funds have been allocated to improve our enforcement capabilities on the Great Lakes and on northern inland lakes. New commercial harvests management techniques have been introduced on Lakes Huron, Erie and Ontario. A port observer program has also been funded for Lake Erie.

2. Lake Ontario and Georgian Bay brown trout program—An egg search and collection of wild brown trout in Ontario has been initiated in order to establish a new brown trout fishery in Lake Ontario and Georgian Bay.

3. Lake Ontario salmon program—Additional funds were provided to increase the scope of egg collections for coho and chinook salmon to ensure adequate supplies of both species for stocking purposes.

4. Habitat restoration projects—A number of additional streambed enhancement projects will be carried out in northern and southern Ontario as a result of further funding in this area.

5. Sault Ste. Marie hatchery expansion—Rehabilitation of the depreciated, potentially high-value lake trout stocks in eastern Lake Superior hinges upon the expansion and upgrading of the Taurentorus hatchery in Sault Ste. Marie. Additional funds have now been made available to complete the detailed report and design estimate stage.

6. Assessment units—our harvest monitoring

capability has been improved through the allocation of additional support staff for fisheries assessment units.

7. Ontario fish information system—Additional funds have been allocated to purchase computer hardware and software to improve the capability of assessment units in the collection, analysis and transfer of assessment and management information.

The above-noted projects are being carried out as a result of additional funds for fisheries received in 1981-82. This is in addition to our normal program of enforcement, harvest assessment and inventory, habitat rehabilitation, research, fish culture and stocking operations.

COST EFFECTIVENESS PROGRAM

266. Mr. McClellan: Would the Minister of Health provide a breakdown of the grant allocation to the cost effectiveness program for each year since 1979, and projected for 1981-82? (Tabled December 2, 1981.)

Hon. Mr. Timbrell: The ministry provided a grant of \$232,000 to the Ontario Hospital Association to develop the cost effectiveness program in the amounts of: \$182,242 for 1978-79, \$49,758 for 1979-80. This program is available from the Ontario Hospital Association to hospitals wishing to implement the program.

267. Mr. McClellan: Would the minister table all reports which have evolved from the cost effectiveness program developed by the Ontario Hospital Association and Woods Gordon and Company, management consultants, under a grant from the Ministry of Health? (Tabled December 2, 1981.)

Hon. Mr. Timbrell: The reports which have evolved from the cost effectiveness program are the property of the hospitals. It would be necessary for the ministry to obtain permission from each of the hospitals prior to tabling the reports.

268. Mr. McClellan: Would the minister indicate which hospitals have been involved in the cost effectiveness program, indicating: (a) date on which cost effectiveness program began for each hospital; (b) number of staff at implementation of program and current number of staff for each hospital; (c) hospital budget at implementation of program and budget for each year since, including projected budget for 1981-82? (Tabled December 2, 1981.)

Hon. Mr. Timbrell: According to the Ontario Hospital Association, since the introduction of their cost effectiveness program's first pilot

study three years ago, 96 hospitals have participated in the program and more than \$4 million has been realized in annual operating savings. The base data concerning each individual hospital are only available from the hospital.

CANADA PENSION PLAN

269. Mr. Wildman: Would the Treasurer provide the following information in light of the fact that the province of Ontario has borrowed funds from the Canada pension plan during the period 1966 to 1981, inclusive? (1) What was the total amount of funds borrowed by the province of Ontario from the Canada pension plan during the said period? (2) What were the interest charges for the funds borrowed? (3) Has the province made any repayment to the plan and, if so, how much has been repaid in principal and/or interest? (4) How much does the province still owe to the plan as to principal and interest? (5) How has the province disbursed the funds borrowed from the plan during the said period? (6) What proportion of the funds has been assigned to senior citizen programs and, if any, which programs specifically? (Tabled December 4, 1981.)

Hon. F. S. Miller: (1) From 1966 to March 31, 1981, the province had issued securities to a total of \$9,795,194,000. (2) In 1980-81, the total interest paid on account of these securities was \$745,529,975. (3) No principal repayments have been made. (4) The principal amount owing to the plan at March 31, 1981, was \$9,795,194,000. Interest is paid semi-annually on each individual issue and for 1981-82 was estimated at \$832,634,000. (5) and (6) Neither provincial revenues nor borrowings are specifically earmarked for any particular spending program. They are taken as the total resources available to finance all government programs for which funds are appropriated by the Legislature.

TAX GRANTS FOR SENIORS

270. Mr. Boudria: Will the Minister of Revenue inform the House of the total direct and indirect costs of the senior citizens' property tax grant and sales tax grants program? Will the minister include in these costs the salaries of constituency office assistants for the time that they spent on these programs as well as the cost of all other public servants who spent time dealing with these programs? (Tabled December 4, 1981.)

Hon. Mr. Ashe: The member for Prescott-Russell has requested information on the direct and indirect costs of the senior citizens property tax and sales tax grants programs.

As the ministry is responsible for the administration of many programs, it is not possible to provide a breakdown of the costs relating to one particular program. In this regard, I refer the member to votes 802-5, 802-6 and 803 of the ministry's 1981-82 estimates, recently approved in the Legislature. The cost of the property and sales tax grant administration is included with other programs in these votes.

As to the constituency office assistants' costs, I wish to remind the member that the purpose of the government in supplying funds to members was to ensure that constituents can contact the members' offices in order to have their complaints and inquiries attended to.

I don't feel it is appropriate for the ministry to request the members to provide the costs of the constituency offices for a particular program.

AUTO WATCH INCORPORATED

275. Mr. Cooke: Would the Solicitor General table the date which a licence was granted to Auto Watch Incorporated? Further would the ministry table the following information: What security work this company does and what company they do their security work for? Further, how many security employees do they have and where are they doing their security work? (Tabled December 9, 1981.)

Hon. Mr. McMurtry: A licence was granted to Auto Watch Incorporated on December 21, 1979. Auto Watch Incorporated provides security at compounds holding new automobiles. The company provides security for Auto Haulaway Limited and Autohaulaway Releasing Limited. The company employs 57 licensed security guards. Auto Watch Incorporated operates in Windsor, Chatham and Talbotville.

TORONTO ISLANDS HOMES

276. Mr. Nixon: What was the total cost of the Toronto Islands royal commission? What was paid in legal fees and consultations by the commission? What was paid to commissioner Barry Swadron in fees, per diems and expenses for his services? (Tabled December 10, 1981.)

Hon. Mr. Wells: (1) Total commission cost: \$198,649. (2) Total legal fees: \$44,303 (no consultation fees). (3) Total payment to commissioner Swadron: \$82,489.

COVER OVER PARKING ENTRANCE

278. Mr. Conway: What is the total cost of the

structure built over the entrance to the underground parking facility at the Macdonald Block? (Tabled December 15, 1981.)

Hon. Mr. Wiseman: The total cost of this structure was \$194,130.64.

This structure will produce energy savings of approximately \$20,000 per annum, in present-day dollars. In addition, substantial savings will result through the avoidance of having to install new heating cables every four or five years because of the deterioration of pavement and cables due to snow, ice and salt.

The pay-back period for this structure will be five years or less in terms of present-day dollars.

ANSWERS NOT TABLED

Because of lack of time, answers were not provided to the following questions: 250, 252, 253, 254, 257, 258, 259, 260, 261, 271, 272, 273, 274, 279, 280, 281, 282, 283.

RESPONSE TO PETITION

ASSISTANCE TO FARMERS

Sessional paper 318, Mr. McKessock.

Hon. Mr. Henderson: Following is the ministry response to the petition on aid to the farm community:

The Minister of Agriculture and Food on December 18, 1981, tabled the report of the action committee for the Emergency Task Force on Agriculture.

The minister indicated that a financial assistance program for farmers will be announced prior to December 25, 1981.

*Answers that are lengthy or contained tabular material do not appear here. They are available through the Office of the Clerk of the House. Interim answers also are not printed here. The information they contained will be found in the Order Paper at the end of the question concerned.

APPENDIX B

ALPHABETICAL LIST OF MEMBERS*

(125 members)

First Session of the Thirty-Second Parliament

Lieutenant Governor: Hon. John B. Aird, OC, QC**Speaker: Hon. John M. Turner****Clerk of the House: Roderick Lewis, QC**

-
- Andrewes, P. W. (Lincoln PC)
Ashe, Hon. G. L.; Minister of Revenue (Durham West PC)
Baetz, Hon. R. C.; Minister of Culture and Recreation (Ottawa West PC)
 Barlow, W. W. (Cambridge PC)
Bennett, Hon. C. F.; Minister of Municipal Affairs and Housing (Ottawa South PC)
Bernier, Hon. L.; Minister of Northern Affairs (Kenora PC)
Birch, Hon. M.; Provincial Secretary for Social Development (Scarborough East PC)
 Boudria, D. (Prescott-Russell L)
 Bradley, J. J. (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breough, M. J. (Oshawa NDP)
 Breithaupt, J. R. (Kitchener L)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Cassidy, M. (Ottawa Centre NDP)
 Charlton, B. A. (Hamilton Mountain NDP)
 Conway, S. G. (Renfrew North L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Copps, S. M. (Hamilton Centre L)
 Cousens, D.; Deputy Chairman of Committees of the Whole House (York Centre PC)
 Cunningham, E. G. (Wentworth North L)
 Cureatz, S. L.; Deputy Speaker and Chairman of Committees of the Whole House (Durham East PC)
Davis, Hon. W. G.; Premier (Brampton PC)
 Dean, G. H. (Wentworth PC)
 Di Santo, O. (Downsview NDP)
Drea, Hon. F.; Minister of Community and Social Services (Scarborough Centre PC)
 Eakins, J. F. (Victoria-Haliburton L)
 Eaton, R. G. (Middlesex PC)
 Edighoffer, H. A. (Perth L)
Elgie, Hon. R. G.; Minister of Labour (York East PC)
 Elston, M. J. (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Eves, E. L. (Parry Sound PC)
 Fish, S. A. (St. George PC)
 Foulds, J. F. (Port Arthur NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Grande, T. (Oakwood NDP)
Gregory, Hon. M. E. C.; Minister without Portfolio (Mississauga East PC)
Grossman, Hon. L. S.; Minister of Industry and Tourism (St. Andrew-St. Patrick PC)
 Haggerty, R. (Erie L)
 Harris, M. D. (Nipissing PC)
 Havrot, E. M. (Timiskaming PC)
Henderson, Hon. L. C.; Minister of Agriculture and Food (Lambton PC)
 Hennessy, M. (Fort William PC)
 Hodgson, W. (York North PC)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Johnston, R. F. (Scarborough West NDP)
 Jones, T. (Mississauga North PC)
 Kells, M. C. (Humber PC)
 Kennedy, R. D. (Mississauga South PC)
 Kerr, G. A. (Burlington South PC)
 Kerrio, V. G. (Niagara Falls L)
 Kolyn, A. (Lakeshore PC)
 Lane, J. G. (Algoma-Manitoulin PC)
 Laughren, F. (Nickel Belt NDP)
Leluk, Hon. N. G.; Minister of Correctional Services (York West PC)
 Lupusella, A. (Dovercourt NDP)
 MacDonald, D. C. (York South NDP)
 Mackenzie, R. W. (Hamilton East NDP)
 MacQuarrie, R. W. (Carleton East PC)
 Mancini, R. (Essex South L)
 Martel, E. W. (Sudbury East NDP)
McCaffrey, Hon. R. B.; Minister without Portfolio (Armourdale PC)
McCague, Hon. G. R.; Chairman, Management Board of Cabinet (Dufferin-Simcoe PC)
 McClellan, R. A. (Bellwoods NDP)
 McEwen, J. E. (Frontenac-Addington L)
 McGuigan, J. F. (Kent-Elgin L)
 McKessock, R. (Grey L)
 McLean, A. K. (Simcoe East PC)
McMurtry, Hon. R. R.; Attorney General and Solicitor General (Eglinton PC)
 McNeil, R. K. (Elgin PC)
Miller, Hon. F. S.; Treasurer of Ontario and Minister of Economics (Muskoka PC)

Miller, G. I. (Haldimand-Norfolk L)
 Mitchell, R. C. (Carleton PC)
 Newman, B. (Windsor-Walkerville L)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, Hon. K. C.; Minister of the Environment (Kingston and the Islands PC)
 O'Neil, H. P. (Quinte L)
 Peterson, D. R. (London Centre L)
 Philip, E. T. (Etobicoke NDP)
 Piché, R. L. (Cochrane North PC)
 Pollock, J. (Hastings-Peterborough PC)
Pope, Hon. A. W.; Minister of Natural Resources (Cochrane South PC)
Ramsay, Hon. R. H.; Provincial Secretary for Resources Development (Sault Ste. Marie PC)
 Reed, J. A. (Halton-Burlington L)
 Reid, T. P. (Rainy River L-Lab.)
 Renwick, J. A. (Riverdale NDP)
 Riddell, J. K. (Huron-Middlesex L)
 Robinson, A. M. (Scarborough-Ellesmere PC)
 Rotenberg, D. (Wilson Heights PC)
 Roy, A. J. (Ottawa East L)
 Runciman, R. W. (Leeds PC)
 Ruprecht, T. (Parkdale L)
 Ruston, R. F. (Essex North L)
 Samis, G. R. (Cornwall NDP)
 Sargent, E. C. (Grey-Bruce L)
 Scrivener, M. (St. David PC)
 Sheppard, H. N. (Northumberland PC)
 Shymko, Y. R. (High Park-Swansea PC)
 Smith, S. L. (Hamilton West L)
Snow, Hon. J. W.; Minister of Transportation and Communications (Oakville PC)
 Spensieri, M. A. (Yorkview L)
Stephenson, Hon. B. M.; Minister of Education and Minister of Colleges and Universities (York Mills PC)
Sterling, Hon. N. W.; Minister without Portfolio (Carleton-Grenville PC)
 Stevenson, K. R. (Durham-York PC)
 Stokes, J. E. (Lake Nipigon NDP)
 Swart, M. L. (Welland-Thorold NDP)
 Sweeney, J. (Kitchener-Wilmot L)
 Taylor, G. W. (Simcoe Centre PC)
 Taylor, J. A. (Prince Edward-Lennox PC)
Timbrell, Hon. D. R.; Minister of Health (Don Mills PC)
 Treleaven, R. L. (Oxford PC)
Turner, Hon. J. M.; Speaker (Peterborough PC)
 Van Horne, R. G. (London North L)
 Villeneuve, O. F. (Stormont, Dundas and Glengarry PC)

Walker, Hon. G. W.; Provincial Secretary for Justice and Minister of Consumer and Commercial Relations (London South PC)
 Watson, A. N. (Chatham-Kent PC)
Welch, Hon. R. S.; Minister of Energy (Brock PC)
Wells, Hon. T. L.; Minister of Intergovernmental Affairs (Scarborough North PC)
 Wildman, B. (Algoma NDP)
 Williams, J. R. (Oriole PC)
Wiseman, Hon. D. J.; Minister of Government Services (Lanark PC)
 Worton, H. (Wellington South L)
 Wrye, W. M. (Windsor-Sandwich L)
 Yakabuski, P. J. (Renfrew South PC)

MEMBERS OF THE EXECUTIVE COUNCIL

Davis, Hon. W. G., Premier and President of the Council
 Welch, Hon. R. S., Minister of Energy and Deputy Premier
 Wells, Hon. T. L., Minister of Intergovernmental Affairs
 Bernier, Hon. L., Minister of Northern Affairs
 Snow, Hon. J. W., Minister of Transportation and Communications
 Birch, Hon. M., Provincial Secretary for Social Development
 Bennett, Hon. C. F., Minister of Housing
 Miller, Hon. F. S., Treasurer of Ontario and Minister of Economics
 Timbrell, Hon. D. R., Minister of Health
 Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities
 McMurtry, Hon. R. R., Attorney General and Solicitor General
 Henderson, Hon. L. C., Minister of Agriculture and Food
 Norton, Hon. K. C., Minister of the Environment
 Drea, Hon. F., Minister of Community and Social Services
 Grossman, Hon. L., Minister of Industry and Tourism
 McCague, Hon. G., Chairman of Management Board of Cabinet and Chairman of Cabinet
 Baetz, Hon. R. C., Minister of Culture and Recreation
 Wiseman, Hon. D. J., Minister of Government Services
 Elgie, Hon. R. G., Minister of Labour
 Walker, Hon. G. W., Provincial Secretary for Justice and Minister of Consumer and Commercial Relations

Gregory, Hon. M. E. C., Minister without Portfolio
 Pope, Hon. A. W., Minister of Natural Resources
 Leluk, Hon. N. G., Minister of Correctional Services
 Ashe, Hon. G. L., Minister of Revenue
 Ramsay, Hon. R. H., Provincial Secretary for Resources Development
 McCaffrey, Hon. R. B., Minister without Portfolio
 Sterling, Hon. N. W., Minister without Portfolio

PARLIAMENTARY ASSISTANTS

Andrewes, P. W. (Lincoln), assistant to the Minister of Energy
 Brandt, A. S. (Sarnia), assistant to the Minister of Labour
 Dean, G. H. (Wentworth), assistant to the Minister of Education
 Eaton, R. G. (Middlesex), assistant to the Minister of Transportation and Communications
 Fish, S. A. (St. George), assistant to the Minister of Culture and Recreation
 Gillies, P. A. (Brantford), assistant to the Provincial Secretary for Social Development
 Gordon, J. K. (Sudbury), assistant to the Minister of Health
 Hennessy, M. (Fort William), assistant to the Minister of Northern Affairs
 Hodgson, W. (York North), assistant to the Minister of Government Services
 Jones, T. (Mississauga North), assistant to the Treasurer of Ontario and Minister of Economics
 Kennedy, R. D. (Mississauga South), assistant to the Minister of Intergovernmental Affairs
 Lane, J. G. (Algoma-Manitoulin), assistant to the Minister of Industry and Tourism
 MacQuarrie, R. W. (Carleton East), assistant to the Solicitor General
 McNeil, R. K. (Elgin), assistant to the Minister of Agriculture and Food
 Mitchell, R. C. (Carleton), assistant to the Minister of Consumer and Commercial Relations
 Rotenberg, D. (Wilson Heights), assistant to the Minister of Housing
 Stevenson, K. R. (Durham-York), assistant to the Minister of the Environment
 Taylor, G. W. (Simcoe Centre), assistant to the Attorney General
 Watson, A. N. (Chatham-Kent), assistant to the Minister of Community and Social Services

Williams, J. (Oriole), assistant to the Minister of Revenue
 Yakabuski, P. J. (Renfrew South), assistant to the Minister of Natural Resources

STANDING COMMITTEES

Administration of justice: Chairman, Mr. Treleaven; members, Messrs. Andrewes, Breithaupt, Eaton, Elston, Gordon, Laughren, MacQuarrie, Mitchell, Piché, Renwick, Spensieri, and Wrye; clerk, S. Forsyth.

General government: Chairman, Mr. Barlow; members, Ms. Bryden, Messrs. Epp, Eves, J. M. Johnson, Hennessy, Kells, McGuigan, McKessock, Runciman, Sheppard, Swart and J. A. Taylor; clerk, F. Nokes.

Resources development: Chairman, Mr. Harris; members, Ms. Copps, Messrs. Eakins, Eaton, Havrot, J. M. Johnson, R. F. Johnston, Lane, McNeil, Renwick, Riddell, and Stevenson; clerk, A. Richardson.

Social development: Chairman, Mr. Shymko; members, Mr. Dean, Ms. Fish, Messrs. Conway, Edighoffer, Gillies, Jones, Kennedy, Kolyn, Laughren, Renwick and Roy; clerk, D. Arnott.

Members' services: Chairman, Mr. Robinson; members, Messrs. Boudria, Di Santo, Hodgson, Kerr, McLean, O'Neil, Rotenberg, Ruston, Samis, G. W. Taylor and Watson; clerk, A. Richardson.

Procedural affairs: Chairman, Mr. Kerr; members, Messrs. Breaugh, Charlton, Edighoffer, Epp, Mancini, McLean, Piché, Robinson, Rotenberg, Watson and Hodgson; clerk, S. Forsyth.

Public accounts: Chairman, Mr. T. P. Reid; members, Messrs. Cousens, Cunningham, Foulds, Peterson, Philip, Pollock, Sargent, Mrs. Scrivener, Messrs. J. A. Taylor, Villeneuve and Yakabuski; clerk, G. White.

Regulations and other statutory instruments: Chairman, Mr. Eves; members, Messrs. Barlow, Brandt, Grande, Haggerty, Hennessy, Kells, MacDonald, McEwen, G. I. Miller, Runciman and Sheppard; clerk, D. Arnott.

SELECT COMMITTEES

Company law: Chairman, Mr. Breithaupt; members, Messrs. Cunningham, Di Santo, Hennessy, Kolyn, Mitchell, Pollock, T. P. Reid, Renwick,

Sheppard, G. W. Taylor and Van Horne; clerk, F. Nokes.

Ombudsman: Chairman, Mr. Runciman; members, Messrs. Boudria, Cooke, Dean, Gordon, MacQuarrie, G. I. Miller, Mitchell, Philip, Piché, Shymko, Treleaven and Van Horne; clerk, G. White.

Pensions: Chairman, Mr. J. A. Taylor; members: Messrs. Brandt, Cousens, Cureatz, Gillies, Haggerty, Jones, Mackenzie, McClellan, Riddell, Van Horne and Williams; clerk, G. White.

*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month and in the first and last issues of each session.

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Appendix B

Alphabetical list of members of the Legislature of Ontario, members of the executive council, parliamentary assistants and members of standing and select committees. 4947

SPEAKERS IN THIS ISSUE

Aird, Hon. J. B.; Lieutenant Governor

Ashe, Hon. G. L.; Minister of Revenue (Durham West PC)

Bennett, Hon. C. F.; Minister of Municipal Affairs and Housing (Ottawa South PC)

Birch, Hon. M.; Provincial Secretary for Social Development (Scarborough East PC)

Bradley, J. J. (St. Catharines L)

Brandt, A. S. (Sarnia PC)

Breithaupt, J. R. (Kitchener L)

Cassidy, M. (Ottawa Centre NDP)

Copps, S. M. (Hamilton Centre L)

Cousens, D.; Acting Speaker and Deputy Chairman (York Centre PC)

Cureatz, S. L.; Deputy Speaker (Durham East PC)

Davis, Hon. W. G.; Premier (Brampton PC)

Drea, Hon. F.; Minister of Community and Social Services (Scarborough Centre PC)

Elgie, Hon. R. G.; Minister of Labour (York East PC)

Foulds, J. F. (Port Arthur NDP)

Grossman, Hon. L. S.; Minister of Industry and Tourism (St. Andrew-St. Patrick PC)

Henderson, Hon. L. C.; Minister of Agriculture and Food (Lambton PC)

Johnston, R. F. (Scarborough West NDP)

Laughren, F. (Nickel Belt NDP)

MacDonald, D. C. (York South NDP)

Mancini, R. (Essex South L)

Martel, E. W. (Sudbury East NDP)

McKessock, R. (Grey L)

McMurtry, Hon. R. R.; Attorney General and Solicitor General (Eglinton PC)

Miller, Hon. F. S.; Treasurer of Ontario and Minister of Economics (Muskoka PC)

Miller, G. I. (Haldimand-Norfolk L)

Nixon, R. F. (Brant-Oxford-Norfolk L)

O'Neil, H. P. (Quinte L)

Peterson, D. R. (London Centre L)

Ramsay, Hon. R. H.; Provincial Secretary for Resources Development (Sault Ste. Marie PC)

Reed, J. A. (Halton-Burlington L)

Reid, T. P. (Rainy River L-Lab.)

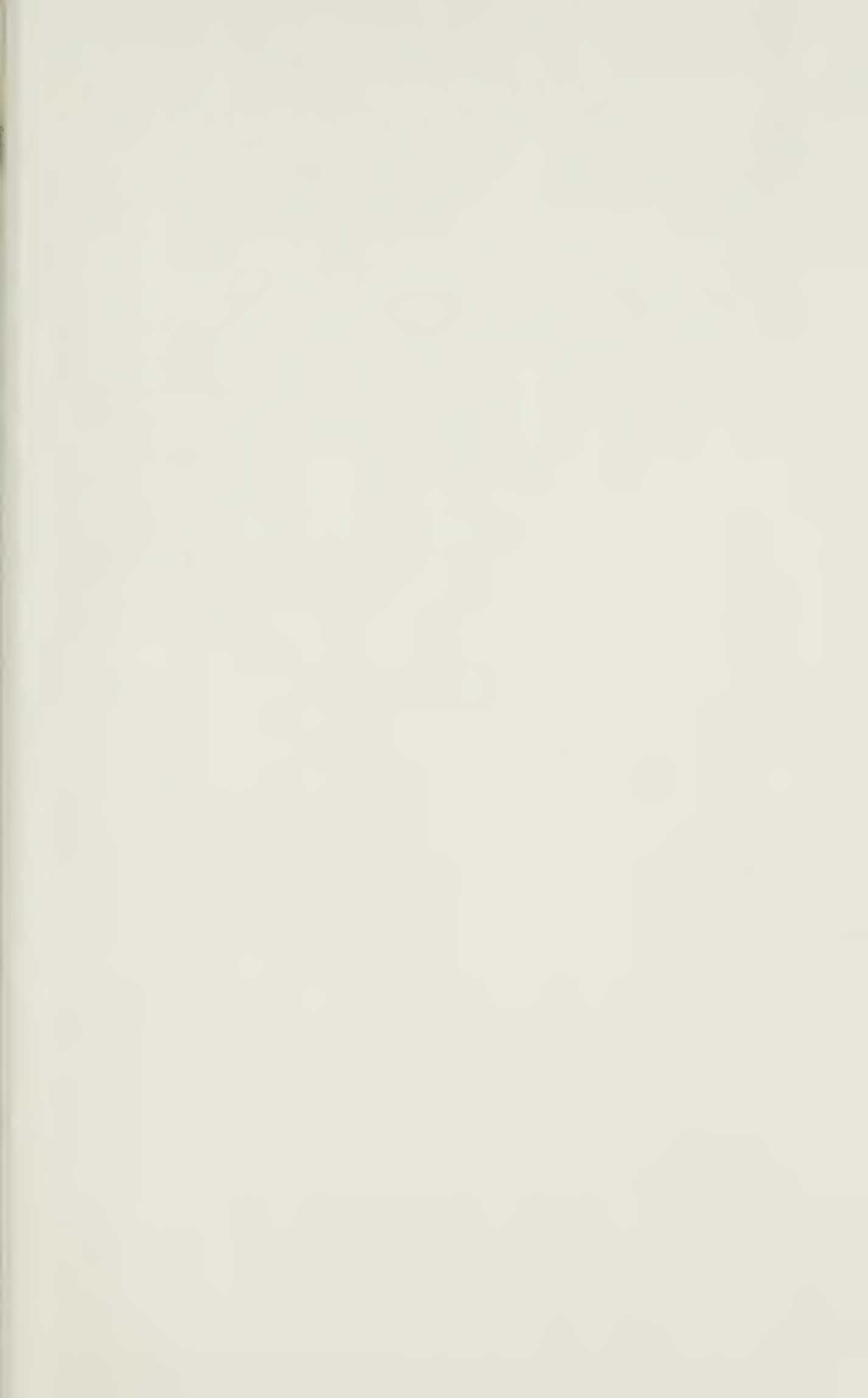
Renwick, J. A. (Riverdale NDP)

Riddell, J. K. (Huron-Middlesex L)

Roy, A. J. (Ottawa East L)

Runciman, R. W. (Leeds PC)

Ruprecht, T. (Parkdale L)
Samis, G. R. (Cornwall NDP)
Smith, S. L. (Hamilton West L)
Snow, Hon. J. W.; Minister of Transportation and Communications (Oakville PC)
Stokes, J. E. (Lake Nipigon NDP)
Swart, M. L. (Welland-Thorold NDP)
Timbrell, Hon. D. R.; Minister of Health (Don Mills PC)
Walker, Hon. G. W.; Minister of Consumer and Commercial Relations and Provincial Secretary for Justice (London South PC)
Welch, Hon. R. S.; Minister of Energy (Brock PC)
Wells, Hon. T. L.; Minister of Intergovernmental Affairs (Scarborough North PC)
Wildman, B. (Algoma NDP)
Wiseman, Hon. D. J.; Minister of Government Services (Lanark PC)
Wrye, W. M. (Windsor-Sandwich L)



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